

# **CITY OF LAREDO**

## **CITY COUNCIL MEETING**

**A-2004-R-06**

## **CITY COUNCIL CHAMBERS**

**1110 HOUSTON STREET**

**LAREDO, TEXAS 78040**

**APRIL 5, 2004**

**5:30 P.M.**



### **DISABILITY ACCESS STATEMENT**



Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact Gustavo Guevara, City Secretary at (956) 791-7308 at least two working days prior to the meeting so that appropriate arrangements can be made. The accessible entrance and accessible parking spaces are located at City Hall, 1100 Victoria Ave.

Out of consideration for all attendees of the City Council meetings, please turn off all cellular phones and pagers, or place on inaudible signal. Thank you for your consideration.

#### **I. CALL TO ORDER**

#### **II. PLEDGE OF ALLEGIANCE**

#### **III. ROLL CALL**

#### **IV. MINUTES**

#### **V. COMMUNICATIONS AND RECOGNITIONS**

##### **Announcements**

##### **Invitations**

##### **Recognitions**

- a. Recognition by Horacio de Leon, Parks and Recreation Director and Richard Gentry President of the Tree Advisory Committee of the City of Laredo for its designation as a Tree City USA.
- b. Recognition of Karla Robles of the Community Development Department on her selection as March 2004 Employee of the Month.

## **Communiqués**

- a. Presentation by Vaswani Soccer Ventures, L.L.C., regarding the United Soccer League's newest Premier Development League member franchise from Laredo, Texas.

## **VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES**

## **VII. PUBLIC HEARINGS**

1. **Public hearing and introductory ordinance** amending the Zoning Ordinance Map of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Avenue; providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed Conditional Use Permit.
2. **Public hearing and Second Reading** authorizing Batista Roman Enterprises, Inc., a non-exclusive franchise, to construct, maintain and operate a commercial container refuse gathering and disposing service in the city of Laredo, Texas, and providing the terms, conditions, obligations, and limitations upon and under which such franchise shall be exercised; providing indemnity to the city; city retains authority to regulate rates except for rate increases resulting from increased landfill fees which are passed on to the customer; providing for increased service rates; providing for franchise payments; and providing for severability.
3. **Public hearing and introductory ordinance** authorizing the City Manager to accept a grant in the amount of \$10,000.00 from the Texas Department of Transportation for the enforcement of the seat belt law and authorizing the City Manager to decrease the City of Laredo's FY 03-04 annual budget in the amount of \$22,500.00. This grant is for overtime salaries and is funded 100% by the Texas Department of Transportation.
4. **Public hearing and introductory ordinance** authorizing the City Manager to amend the 2003-2004 annual budget in the amount of \$5,208.00 for the Laredo Multi-Agency Narcotics Task Force to be used for vehicle maintenance and wrecker fees. The use of program income was approved by the Office of the Governor Criminal Justice Division through a grant adjustment dated March 19, 2004.
5. **Public hearing and introductory ordinance** authorizing the City Manager to amend the Transit Capital grants budget by appropriating \$322,592.00 as a local match, for the Texas Department of Transportation Vehicle Capital Replacement (VCR) Grant in the amount of \$610,300.00 for the

purchase of three 35 feet CNG buses to total \$932,892.00; and reaffirming the City of Laredo intent to participate in the State VCR Program.

**(Recess)**

**(Press Availability)**

## **VIII. FINAL READING OF ORDINANCES**

6.

- |            |  |
|------------|--|
| 2004-O-054 | Adopting a budget for FY 2003-2004 for the South Texas Regional 911 System Fund. The proposed budget consists of \$606,008.00 in revenues from the Commission on State Emergency Communications and \$606,008.00 in expenditures for the following: Webb County, Jim Hogg County, Starr County, Zapata County and Regional Administrator (City of Laredo). <b>(As amended)</b> |
| 2004-O-062 | Amending the Zoning Ordinance Map of the City of Laredo by rezoning Lot 5, Block 563, Eastern Division, located at 918 Willow Street, from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District); providing for publication and effective date.   |
| 2004-O-063 | Amending the Zoning Ordinance Map of the City of Laredo by authorizing the issuance of a Conditional Use Permit for general automotive repair on Lots 19 and 20, Block 30, Vista Hermosa, Unit II, located approximately at the 5400 block of McPherson Road, providing for publication and effective date.  |
| 2004-O-064 | Amending the Zoning Ordinance Map of the City of Laredo by rezoning 21.88 acres, as further described by metes and bounds on attached Exhibit "A," located east of Havanna Drive, from AG (Agricultural District) to R-1A (Single Family Reduced Area District); providing for publication and effective date.   |
| 2004-O-065 | Amending Laredo Land Development Code, Sections 24.63.2, 24.65.14 and Appendix A, by allowing, regulating and defining nationalization "nacionalizacion" of vehicle enterprises in certain zoning districts; providing for publication and effective date.   |

- 2004-O-067      Accepting a grant from the Federal Emergency Management Agency (FEMA) which has awarded a \$27,350.00 grant with the City of Laredo designating \$11,722.00 in matching funds for a total of \$39,072.00 and amending the City of Laredo FY 2003-2004 annual budget from General Fund by appropriating the said grant revenue to the appropriate expenditure accounts. The grant monies will be used to implement rapid intervention team kits (rit kits) along with the purchase of the two (2) thermal imagers. Matching funds are available in General Fund.
- 2004-O-068      Amending the City of Laredo FY 2003-2004 full-time equivalent positions by increasing one (1) part-time Health Educator position on a total of .48 FTE without benefits to .50 FTE with benefits in the Childhood Lead Poisoning Prevention Program of the City of Laredo Health Department for the period beginning November 1, 2003 through June 30, 2004. Funding is available in Childhood Lead Poisoning Prevention Program Grant.
- 2004-O-069      Authorizing the City Manager to amend the City of Laredo's FY 2003-2004 full-time equivalent positions by converting three (3) part-time with no benefits (1.44 FTE) Community Service Aide positions at 19.21 hours each per week to one (1) full-time position with benefits Community Service Aide position in the HIV Prevention Project of the City of Laredo Health Department, funded by the Texas Department of Health to provide continuous support services to the HIV Program clients and to maintain effective preventive services. Funding is available in the HIV Prevention Project Grant.
- 2004-O-070      Authorizing the City Manager to amend the City of Laredo's FY 2003-2004 full-time equivalent positions by converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for HIV-Infected Persons Project (PSHIP) of the City of Laredo Health Department to provide continuous support services and to maintain effective client prevention services. Funding is available in the HIV-Infected Persons Project (PSHIP) Grant.

- 2004-O-071 Authorizing the City Manager to amend the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures by \$10,000.00 which represents a contribution from Mercy Health Plans for children's health insurance outreach activities of the City of Laredo Health Department for the period beginning May 1, 2004, through September 30, 2004.
- 2004-O-072 Amending the City of Laredo FY 2003-2004 annual budget by decreasing revenues and expenditures in the amount of \$33,644.00 to reflect the actual grant amount of \$332,590.00 from the South Texas Development Council for the HIV/AIDS Ryan White Title II Services Program of the City of Laredo Health Department for the period of April 1, 2004, through March 31, 2005.
- 2004-O-073 Authorizing the City Manager to enter into an agreement with the Federal Bureau of Investigation in the amount of \$10,000.00 and amending the City of Laredo FY 2003-2004 General Fund by 10,000.00. The purpose of the agreement is to reimburse the cost of overtime and fringe benefits incurred by the Laredo Police Department in providing resources to OCDETF (Organized Crime Drug Enforcement Task Forces). The term of this agreement is from October 1, 2003 through September 30, 2004.
- 2004-O-074 Amending Chapter 14 (Garbage, Trash & Refuse) of the Code of Ordinances, specifically to update the ordinance to address the Solid Waste Director, add and refine definitions and services, change the Landfill City Vehicle Rate Fee to \$1.25, add a commercial exemption administrative fee of \$2.50, to add a credit account late fee of \$100.00 and revise franchise requirements; providing for publication and effective date.
- 2004-O-075 Amending the City of Laredo FY 2003-2004 Solid Waste Fund Budget by appropriating a draw down of \$241,751.00 from the opening balance and appropriating it for equipment acquisition. The project consists of one (1), five wheel loader for landfill operations. The bid price includes provisions for a five-year maintenance contract and guaranteed repurchase price.

- 2004-O-076 Authorizing the City Manager to convey on behalf of the City of Laredo, as Trustee, Lots 2, 3, 4, 5, 6, and 7, Block 261, Eastern Division, to Laredo Independent School District; such conveyance being for the consideration of \$182,000.00 of which the net proceeds shall be disbursed to the creditor taxing entities in the proportion each entity holds of the Tax Judgment; and providing for effective date.
- 2004-O-077 Authorizing City Manager to (1) convey Benavides Street between Davis and Main Avenues and (2) to convey Garcia Street between San Dario and San Eduardo Avenues, subject to retention of easements for existing utilities on said street sections and (3) to sign a Licensing Agreement whereby LISD may use indefinitely a 20' wide section of Davis Avenue of 0.0291 acres adjacent to Blocks 255 and 274, Western Division, City of Laredo, County of Webb, Texas, as a parking adjunct to MacDonnell School.
- 2004-O-078 Authorizing the City Manager to convey to Laredo Independent School District, for the consideration of \$19,300.00, a tract of land being the section of Plum Street between Logan and Tilden Avenues, with reservation of the tract as a drainage and utility easement; and providing for effective date.
- 2004-O-079 Authorizing the City Manager to execute a Foreign-Trade Zone Operations Agreement between the City of Laredo, as Zone Grantee of Foreign-Trade Zone No. 94, and Transmaritime, Inc., as Zone Site Operator, for approximately one (1) acre of activated space located at 22219 Mines Road, Foreign-Trade Zone Site 8 for three (3) years commencing on March 1, 2004 and ending on February 28, 2007. Said agreement provides that activation, administration and transaction fees be paid to the City; providing for an effective date.
- 2004-O-080 Closing as a public easement a 231.45 sq. ft. (5' x 46.29') parcel of land, more or less, out of the 1300 block of Green Street between Stone and Loring Avenues, said parcel of land is being encroached upon by the improvements of the abutting property being Lot 9, Block 714, Eastern Division, City of Laredo, County of Webb, described in attached "Exhibit A" and authorizing the sale of the "Surface Only" of said parcel

of land at the market value of \$556.00 and authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to Patricia Hernandez and providing for an effective date.

- 2004-O-081      Setting the maximum speed limit on that portion of FM 1472 within the city limits of Laredo, Webb County, Texas, from 50 mph to 45 mph from milepoint 14.2 to milepoint 13.9 and as from 55 mph to 45 mph from milepoint 13.9 to 13.8 as defined in the Texas Department of Transportation control section map 2150-04-040, to be in effect during construction providing for installation of appropriate signs to indicate speed changes in the designated areas and providing for publication and effective date.
- 2004-O-082      Amending the City of Laredo's FY 2003-2004 Annual Budget by authorizing the addition of one (1) Administrative Assistant I position for the South Texas 9-1-1 Regional Administration. Funding is available in the 9-1-1 Regional Fund, Administration Division.

## **IX. MOTIONS**

7. Consideration to award a contract to FMC Technologies, Inc., in the amount of \$281,105.00 for the repair and replacement of a portion of one Jetway Systems Passenger Bridge at the Laredo International Airport. Funding is available in the Airport Budget Storm and Wind Damage Account.
8. Consideration to reject the two bids received for contract FY04-053 for the purchase and planting of containerized grown trees and shrubs for the Chacon Creek Restoration Project. Funding is available in the Environmental Services Department budget.
  - a. Bids submitted exceeding the budget allocation and authorizing staff to solicit new bids. This contract required the contract vendor to clean and clear brush along the lowermost reach of Chacon Creek as well as plant approximately 15,000, one gallon trees and shrubs. The bid specifications will be modified to include provisions for the purchase of the trees and shrubs by the City and under separate contract the actual brush and debris removal and planting of these trees and shrubs. The trees and shrubs will be ordered in the Spring for delivery to the City for planting in the Fall.

9. Consideration to reject all bids received for contract FY04-049 for providing automotive batteries for the City's fleet and authorize that the existing battery contract be extended for a period of sixty days.
  - a. The Fleet Maintenance Division will modify the bid document to include changes to the minimum cranking amps requirements, place of manufacture origin, and an option for a three year full replacement program. The changes are being recommended to allow for more competition and to allow for potential savings to the City. The bid specification document will be modified to include these requirements.
10. Consideration to award contract FY04-061 to Holt Co. of Texas, Laredo, Texas, in the total amount of \$230,150.00 for the purchase of one street paving machine. Funding is available in the 2003 Contractual Obligation PPFCO bond proceeds.
  - a. There is a lower bid for the same type of machine from a dealer from San Antonio, Texas; however, staff is recommending Holt Company of Texas because this bidder provides the best value to the City based on the equipment proposed and the availability of local service.
11. Consideration to rescind contract number FY03-093 awarded to Staff Force on July 7, 2003, for providing contract laborers for the Solid Waste Department and award a new service contract (FY04-032) to RM Personnel, Inc., Laredo, Texas, for the same services. Funding is available in the Solid Waste budget.
  - a. RM Personnel provided the best value for the City. BPR Personnel submitted a bid with a lower rate but their contract document included provisions for additional costs such as deductibles for insurance coverage and placement fees. The department requires temporary contract employees for office and litter abatement/refuse collectors. These contract employees are used to fill in for full time employees that are sick, on injury leave, and for vacant positions that will no longer be filled due to automation. Staff Force submitted a letter to the City of Laredo stating that they could no longer provide these employees because they could not provide Worker's Compensation insurance coverage.
12. Consideration to award contract number FY03-068 to the low bidder, Holt Company of Texas, Laredo, Texas, in the amount of \$241,751.00 for the purchase of one replacement five wheel loader for the landfill operation. Funding is available in the Solid Waste Fund.
  - a. This equipment will be purchased using a total cost bid evaluation process. The bid pricing includes provisions for a five-year



maintenance contract and a guaranteed re-purchase price after a five-year period. Delivery of this equipment is expected within sixty days.

13. Consideration to award annual contracts (FY04-056), to the low bidders: Vehicle Maintenance Program, Inc., Boca Raton, Florida, in the base amount of \$34,910.62; Fleetpride, Laredo, Texas, in the base amount of \$22,790.70; Laredo Wholesale, Laredo, Texas, in the base amount of \$21,071.00; O'Reilly Auto Parts, Springfield, MI, in the base amount of \$9,525.20; and A & A Automotive Supplies, San Antonio, Texas, in the base amount of \$5,735.20; for the purchase of general repair parts. Funding is available in the Fleet Maintenance budget.
  - a. These replacement parts will be purchased on an as needed basis for all City fleet vehicles. The contract items include: oil/fuel filters, front end parts, hoses, clamps, belts, lamps/bulbs, service lubricants, and brakes.
14. Consideration to authorize the purchase and installation of a Little League Baseball Sports Lighting System from Musco Lighting System through the Texas Local Government Purchasing Cooperative (Buy Board) contract pricing in the total amount of \$31,550.00 to be installed at the Garcia/Vela Little League Field. Funding is available in the 29<sup>th</sup> Action Year – 2003 Community Development Block Grant (CDBG).
15. Consideration for approval of change order #1 to Peltier Brothers Construction, Ltd., Houston, Texas, in the amount of \$104,000.00 for the Lyon Street 6 MG Ground Storage Tank Repairs revised contract amount for a \$ 685,136.51 and extending the construction contract for an additional 106 calendar days. Funding is available in the Lyon Tank Improvements Account.
  - a. This change order consists of additional interior lining with elastomeric poly-urethane coating, additional compensation for rainy days and the addition of a logo to the exterior of the two tanks.

## **X. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

16.
  - A. **Request by Council Member Hector J. Garcia**
    1. Status report on Clark Boulevard creek drainage improvements.
    2. Status report on lighting on Clark Boulevard.

- B. **Request by Council Member Gene Belmares**
  - 1. Discussion with possible action regarding Public Works projects in District VI.
  - 2. Discussion with possible action regarding installing a collapsible railing on Springfield Avenue by JSJ Estates.
  - 3. Discussion with possible action on assisting the Laredo Heat on securing Veteran's Field for the 2004 soccer season.
- C. **Request by Council Member Jose A. Valdez, Jr.**
  - 1. Discussion with possible action regarding implementation of a plan to repave or reconstruct streets in older industrial park areas.
- D. **Request by Council Member Juan Ramirez**
  - 1. Discussion with possible action regarding installing street lights on San Ignacio from Sanchez to Burnside.
  - 2. Discussion with possible action to improve lighting around the Civic Center using District VIII Discretionary Funds.
  - 3. Discussion with possible action on constructing sidewalks on the West side of the 500 block of Main Street using District VIII Discretionary Funds.
  - 4. Discussion with possible action on water park.

## **XI. EXECUTIVE SESSION**

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

## **XII. ADJOURNMENT**

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on March 31, 2004 at 6:30 p.m.

  
Gustavo Guevara, Jr.  
City Secretary



## COUNCIL COMMUNICATION

<b>Date:</b>  04/05/04	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE</b> Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave.; providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed Conditional Use Permit. <div style="text-align: right;">ZC-85c-2003</div>		
<b>Initiated by:</b> Alberto Garcia		<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager	
<b>Prior action:</b> On 11/20/04, the Planning and Zoning Commission concurred with Staff's position and recommended denial of this applicant's B-1 to B-3 zone change request. On 1/12/04, Council postponed the item, and suggested the applicant return to the Commission in pursuit of a Conditional Use Permit for the proposed use, a used car lot. On 02/19/04, the Commission recommended denial of the requested CUP. On 03/29/04, the Council postponed this item till the next scheduled meeting.			
<b>BACKGROUND</b> <b>Council District:</b> VIII - Juan Ramirez  <b>Proposed use:</b> Commercial (a used car lot)  <b>Site:</b> The site is currently occupied by a small office and parking area (recently paved). [Existing violations include: an illegal water connection, illegal electrical connection, plumbing work done by unlicensed plumber (citation issued to plumber), no sanitary facilities – O-Boy on premises and noncompliant sign (warning issued)]. Applicant asserts all violation committed by the current lease holder.  <b>Surrounding land uses:</b> The land south and southeast of the site is devoted to light commercial and residential type uses including the Laredo Import Company, the Back Porch Postal Center, a Texaco gas station, El Taco Rico, Castellano's used cars, an auto trim shop, the Laredo Boys Club, and a few single family residences. West of the site is I.H. 35. IBC parking, Miriam's Grocery, an auto trim shop and several single and multifamily residences lie to the east while Jamalk Used Cars, Ronald Ramos Law Office, Louis LaVaude, a billiards supply business, and several more single family residences lie to the north of the site.  <b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Retail/Office.  <b>Transportation Plan:</b> San Dario is identified by the Long Range Thoroughfare Plan as a Freeway and a Truck Route.  <b>CUP letters sent to surrounding property owners:</b> 18                      In Favor: 1                      Opposed: 0 <b>Zone change letters sent to surrounding property owners:</b> 18                      In Favor: 1                      Opposed: 0			
<b>STAFF COMMENTS</b> Staff does not support the issuance of the Conditional Use Permit. Laredo Land Development Code Section 24.94.5 B stipulates "The site of the proposed conditional use or any improvements thereon are not in violation of any local, state, or federal law (other than zoning violation)." Numerous construction code violations exist, thus requiring Staff's nonsupport of the item. The following conditions are recommended in the event the item is approved:  1. The entire lot shall be paved except for the areas landscaped. 2. Seventy-five (75) percent of the buildings shall be composed of masonry, glass, or brick. 3. Mechanical, body repair, or auto painting shall not be allowed.                      Comments continued....			
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 6 to 1 vote, recommended denial of the conditional use permit.		<b>STAFF RECOMMENDATION:</b> Staff <u>does not support</u> the proposed Conditional Use Permit.	

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

#### Staff recommended conditions continued:

4. Heavy equipment or large trucks shall not be allowed.
5. At least ten (10) percent of the lot area shall be devoted to landscaping, all which shall be located abutting the westernmost boundary of the site. All property shall be kept in an attractive fashion with landscaping properly maintained. All trash, garbage and other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
6. The applicant shall provide a seven (7) foot opaque fence where the site directly abuts any residential zone or use.
7. All lighting shall face inward and away from the surrounding properties.
8. Two (2) spaces shall be provided and reserved for customers.
9. The applicant shall provide and maintain ten (3) trees and fourteen (14) shrubs located along the western-most boundary of the site.
- 10 Signage shall be limited to that which is allowed in a B-1 district.
11. The permit is issued to Alberto Garcia and is nontransferable.

**CITY OF LAREDO ORDINANCE NO. 2004-O-**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A USED CAR LOT ON LOT 4, BLOCK 236, WESTERN DIVISION, LOCATED AT 1309 SAN DARIO AVE.; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave.; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **denial** of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on April 5, 2004, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo.

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence.

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave..

Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The entire lot shall be paved except for the areas landscaped.
2. Seventy-five (75) percent of the buildings shall be composed of masonry, glass, or brick.
3. Mechanical, body repair, or auto painting shall not be allowed.
4. Heavy equipment or large trucks shall not be allowed.
5. At least ten (10) percent of the lot area shall be devoted to landscaping, all which shall be located abutting the westernmost boundary of the site. All property shall be kept in an attractive fashion with landscaping properly maintained. All trash, garbage and other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
6. The applicant shall provide a seven (7) foot opaque fence where the site directly abuts any residential zone or use.
7. All lighting shall face inward and away from the surrounding properties.
8. Two (2) spaces shall be provided and reserved for customers.
9. The applicant shall provide and maintain ten (3) trees and fourteen (14) shrubs located along the western-most boundary of the site.
10. Signage shall be limited to that which is allowed in a B-1 district.
11. The permit is issued to Alberto Garcia and is nontransferable.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

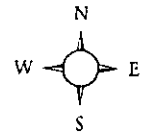
  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY



LOCATION 1309 San Dario Ave

ZC -85- 2003

500



# City of Laredo Zoning Map



SAN FRANCISCO

250		219	
BOY'S		CLUES	

SAN EDUARDO

4A	3A	7A	7B
4B	3B	5	5
2	1	4	3
125	125	218	125

SAN DARIO

4B	3	7	1B
2	1	5	1A
125	125	217	125

STA: URSULA

SCOTT

4B	3	7	1B
2	1	5	1A
125	125	217	125

SCOTT

4A	3A	7A	7B
4B	3B	5	5
2	1	4	3
125	125	218	125

4B	3	7	1
2	5	3	1
125	125	237	125

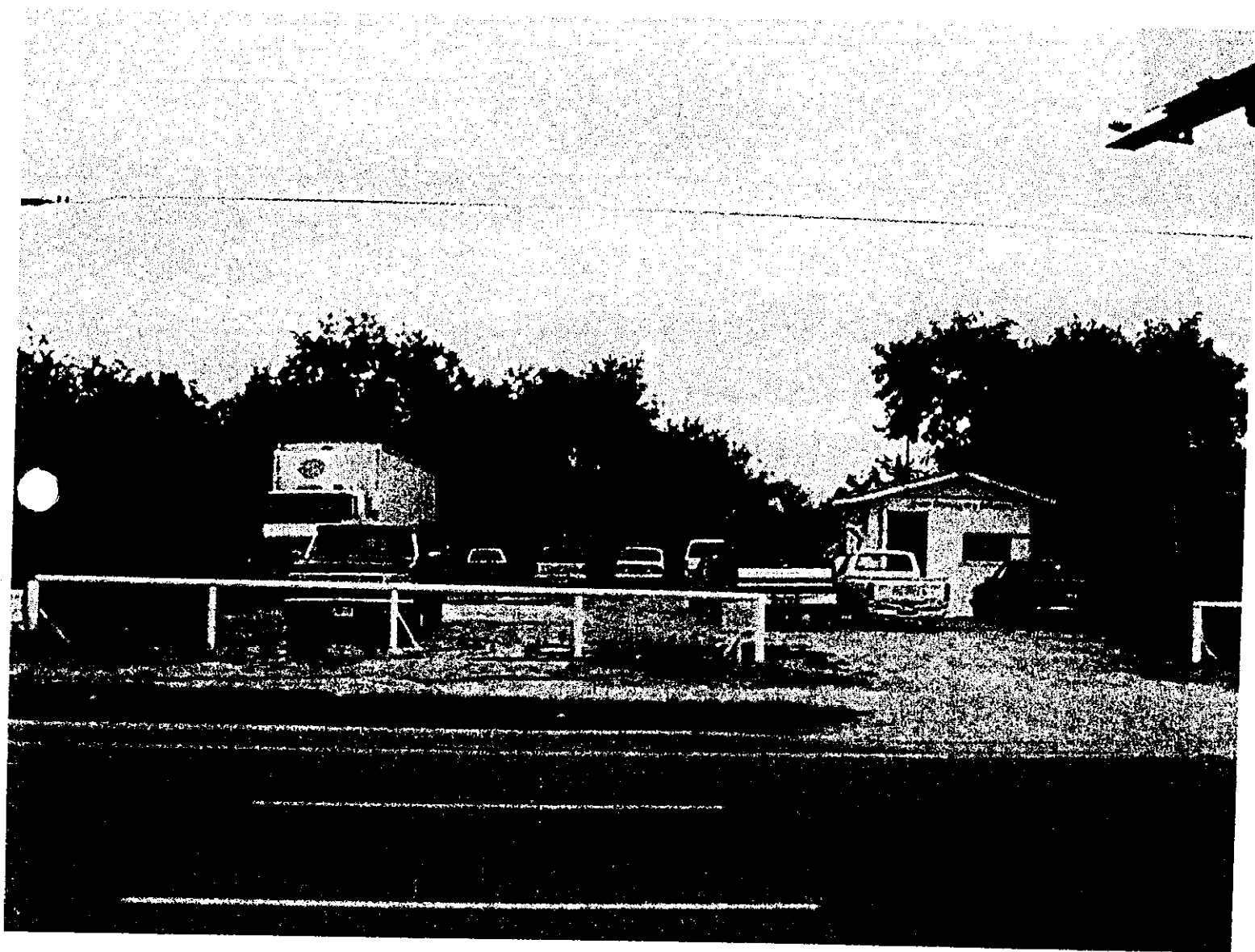
COKE

4B	3	7	1B
2	1	5	1A
125	125	235	125

4B	3	7	1B
2	5	3	1
125	125	237	125

4A	3A	7A	7B
4B	3B	5	5
2	1	4	3
125	125	218	125

4B	3	7	1B
2	1	5	1A
125	125	235	125



ZC-85-03



## COUNCIL COMMUNICATION

<b>DATE:</b>  April 5, 2004	<b>SUBJECT: Public Hearing and Second Reading</b>  AUTHORIZING THE GRANTING TO BATISTA ROMAN ENTERPRISES INC., A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A COMMERCIAL CONTAINER REFUSE GATHERING AND DISPOSING SERVICE IN THE CITY OF LAREDO, TEXAS AND PROVIDING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED; PROVIDING INDEMNITY TO THE CITY; CITY RETAINS AUTHORITY TO REGULATE RATES EXCEPT FOR RATE INCREASES RESULTING FROM INCREASED LANDFILL FEES WHICH ARE PASSED ON TO THE CUSTOMER; PROVIDING FOR INCREASED SERVICES RATES; PROVIDING FOR FRANCHISE PAYMENTS; AND PROVIDING FOR SEVERABILITY.	
<b>INITIATED BY:</b> Manuel Batista President – Batista Roman Enterprises, Inc.		<b>STAFF SOURCE:</b> Oscar J. Medina Director – Solid Waste Department
<b>PREVIOUS COUNCIL ACTION:</b>  First Public hearing and Introductory ordinance was held on March 29, 2004.		
<b>BACKGROUND:</b>  The applicant has requested a non-exclusive franchise agreement from the city for the purpose of operating a commercial container refuse gathering and disposal service. The applicant currently has a cleaning services business doing business as Star Cleaning and wishes to expand to areas requiring a franchise agreement with the City.		
<b>FINANCIAL IMPACT:</b>  The franchisee will pay 4% of gross receipts after which the fee is subject to review every five years pursuant to Section 4. Paragraph B of the ordinance.		
<b>COMMITTEE RECOMMENDATION:</b>  None		<b>STAFF RECOMMENDATION:</b>  That this ordinance be introduced.

ORDINANCE NO. 2004-0-XXX

AUTHORIZING THE GRANTING TO BATISTA ROMAN ENTERPRISES INC., A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A COMMERCIAL CONTAINER REFUSE GATHERING AND DISPOSING SERVICE IN THE CITY OF LAREDO, TEXAS AND PROVIDING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED; PROVIDING INDEMNITY TO THE CITY; CITY RETAINS AUTHORITY TO REGULATE RATES EXCEPT FOR RATE INCREASES RESULTING FROM INCREASED LANDFILL FEES WHICH ARE PASSED ON TO THE CUSTOMER; PROVIDING FOR INCREASED SERVICES RATES; PROVIDING FOR FRANCHISE PAYMENTS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, BATISTA ROMAN ENTERPRISES INC. , (GRANTEE) has requested a franchise to operate a commercial container refuse gathering and disposing system in the City of Laredo, Texas; and

WHEREAS, the City of Laredo (GRANTOR) desires to grant such franchise.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS:

Section I. Franchise Grant

The City of Laredo, a municipal corporation of the State of Texas, hereinafter called GRANTOR, does hereby grant to BATISTA ROMAN ENTERPRISES INC. , hereinafter called GRANTEE, its successors and assigns, the non-exclusive right, privilege and franchise to construct, maintain and operate a commercial container refuse gathering and disposing service within the City of Laredo, and for that purpose to have, acquire, construct, maintain and operate in and upon the present and, future streets, alleys, highways, parkways and other public places of the City of Laredo a service of commercial container refuse gathering vehicles and the necessary or desirable appurtenances to be located on private property only in order to supply refuse gathering and disposal services to the City of Laredo, and the inhabitants hereof for the considerations and subject to the conditions, terms, duties, obligations, and limitations expressed in this Ordinance.

## **Section 2. Term**

The franchise herein granted shall take effect upon the expiration of sixty (60) days following the date of final adoption. Prior to becoming effective, the franchise must be accepted by the GRANTEE in writing who must have filed it with the City Secretary of the City of Laredo within five (5) days after final adoption of this ordinance. If the GRANTEE shall faithfully comply with all the terms and faithfully perform all of the duties and obligations, and faithfully observe and recognize all the limitations and regulations contained in this ordinance and in the valid ordinances of this City relating to the conduct of GRANTEE's business adopted hereunder or under the police powers of the City, then the rights, franchise and privileges herein granted shall be for a term of five (5) years ending at midnight on Month day, 200x.

## **Section 3. Prior Franchise Terminated**

Once this Ordinance becomes effective, it shall supersede and terminate any prior refuse gathering franchise granted to GRANTEE.

## **Section 4. Franchise Fee**

A. In consideration of the grant of the franchise herein, GRANTEE agrees to pay the GRANTOR on the twentieth (20th) day of each quarter, said quarters to begin on the first day of the months of January, April, July and October, a sum equal to four percent (4%) of gross receipts received by the GRANTEE for its services within the limits of the City of Laredo.

B. In consideration of the grant of the franchise for the term herein specified, it is mutually agreed by both GRANTEE and GRANTOR that said percentage of gross receipts is subject to review by GRANTOR every two years and GRANTOR reserves the right to increase said percentage of gross receipts according to factors and circumstances present at the time of review, including but not limited to: the percent change in the Consumer Price Index (CPI) from the preceding calendar five year's average, specifically defined as the Consumer Price Index (U.S. Average, All Urban Consumers, AU Items) 1982-84 = 100 base as compiled by

) the Bureau of Labor Statistics, the increase in GRANTEE customer base, the state of the economy, the amount of GRANTEE'S vehicles traversing GRANTOR'S roadways, and the fee paid to other comparable communities.

C. Said payment is for the use of the GRANTOR's streets, alleys and rights-of-way.

D. It is agreed that the payment of such percentage of gross receipts each year shall be charged by GRANTEE as items of operating expense for rate making purposes, and shall never be considered as a cost of the franchise herein granted in any determination of rates in the future.

E. Provided further, that payments herein provided do not relieve GRANTEE from the payment of ad valorem taxes, special assessments, charges, or other fees applicable to the public generally and nothing in this section shall be construed to be a breach or in anyway affect the power of the GRANTOR to impose all ad valorem taxes on any and all property of the GRANTEE which may be lawfully subject to taxation.

) F. It is understood and agreed that any lawful amount which may be or become due by the GRANTEE to the GRANTOR, under the terms of this franchise, as well as any and all lawful ad valorem taxes which may be imposed and become due and payable to the GRANTOR upon property of the GRANTEE situated in the City of Laredo shall be paid when due and failure to pay said sum or sums of money due the GRANTOR shall be grounds for revocation of this franchise at the sole option of the City Council of the City of Laredo.

#### **Section 5. Service Rates**

A. GRANTOR retains full and complete powers within the limits of the Constitution and laws of this State, to approve by ordinance from time to time throughout the life of this franchise a reasonable price for services to be rendered by GRANTEE hereunder.

B. The initial service fee to be charged by GRANTEE is herein fixed by this Ordinance as Exhibit "A" to be a monthly service charge per month, per customer, per container, per weekly pick-up plus the installation fee that will not be excided.



C. A complete schedule of monthly service charges for customer service to be rendered by GRANTEE is attached to this ordinance as Exhibit "A" and made a part hereof.

D. Subject to Section 8 herein, it is agreed and understood by the parties that GRANTEE may increase the price for services rendered by GRANTEE hereunder without City Council approval only if the amount increased corresponds to an increase in landfill fees by the GRANTOR to the extent that such increase in the price of services rendered by GRANTEE is proportioned to offset as exactly as possible the cost of the landfill fee increase to the GRANTEE considering the difference in GRANTEE'S average gross receipts and the cost of landfill fees paid to the GRANTOR for average tonnage of refuse disposed for the previous twelve (12) months prior to the enactment of the increase by GRANTOR.

#### **Section 6. Service Area**

The terms of this franchise are applicable to the operations of the GRANTEE within the City Limits of the City of Laredo in serving those customers or areas which the GRANTOR now services or hereafter serves within the City Limits in the future.

#### **Section 7. Requests for Service**

The GRANTEE shall, where necessary to supply any person(s), firm, corporation, association or entity who will contract with GRANTEE to use its commercial container refuse gathering and disposal services within the limits of the City of Laredo, and who have made written demand therefore and is not delinquent in the payment of collection charges due GRANTEE, construct the necessary service facilities on the property of each such person within one hundred eighty (180) days after such written demand therefore, unless prevented by causes beyond the control of the GRANTEE.

#### **Section 8. Records**

A. The GRANTEE shall be required during the term of this franchise, or any extension thereto, to keep, and maintain in the City of Laredo complete books and records of the business carried on by it in the City and

) showing its entire receipts, expenses and disbursements in connection with such business, which books and records shall be kept by competent accountants in the manner prescribed or approved by the City Council.

B. GRANTEE is required to keep and maintain in the City of Laredo during the life of this franchise, or any extension thereto, a complete inventory of its vehicles and equipment situated in the City of Laredo, showing the value thereof and its investments therein.

C. Said books, records and inventory shall be made available for inspection and verification by the City Council or any authorized official of the City of Laredo at their request.

D. City Council or any authorized official of the City of Laredo shall have the right at any reasonable time to audit the books, records or inventory of GRANTEE.

E. GRANTEE shall file full and complete reports with GRANTOR along with the franchise fee before the first day of each quarter, beginning the first day of the months of January, April, July and October, on the following:

) I. A list of all existing commercial accounts served, including customer name, address, frequency, pick-up, size of container (in cubic yards) or type of service and charge for same.

2. A list of all new commercial accounts served, including customer name, address, frequency pick-up, size of container (in cubic yards) or type of service and charge for same.

3. Names and addresses of commercial customers dropped from service for any reason and the reason, if available, that such customer was dropped from service.

4. A balance sheet showing the total gross receipts within the City of Laredo starting at a beginning and ending date for the previous quarter.

5. A statement by an authorized official of GRANTEE, under oath, attesting to and duly verifying the accuracy of all items covered in this section.

) F. GRANTEE shall file a full and complete report with GRANTOR before the first day January every

year on the following:

I. A list of all vehicles used in providing service and all vehicles which have been added to or removed from providing such service. Such list shall include state license number, year, make, model, and manufacturer's rated capacity for each vehicle.

#### **Section 9. Placement of Containers**

The location and placing of containers and other instrumentalities by the GRANTEE shall at all times be on private property only, and no containers or other instrumentalities shall be placed on public streets, sidewalks, or within the street right of way area.

#### **Section 10. Compliance with Laws, Ordinances and Regulations**

A. GRANTEE shall conform and comply with all city, county, state and federal laws, ordinances, provisions of the Charter of the City of Laredo, rules and regulations now in force and that may hereafter be adopted pertaining to the subject matter of this Ordinance. Nothing in this ordinance shall be construed in any manner to abridge the right of GRANTOR to pass or enforce necessary police, health, or safety regulations for the protection of its inhabitants.

B. All equipment and vehicles and all construction, disposal and other work done by the GRANTEE in the operating of its business shall comply with all laws, rules and regulations of the State of Texas and of the United States of America imposed upon the refuse gathering or disposal of refuse by the GRANTEE and/or the GRANTOR.

#### **Section 11. Indemnity**

GRANTEE shall at all times defend, indemnify, save and hold harmless the GRANTOR and each of its officers, agents, servants and employees from any and all suits, actions, claims, losses or damages of any character and from all expenses incidental to the defense of such suits action or claims based upon or arising out of any injury, disease, sickness or death of any person or persons, or any damages to any property including

environmental damage caused by any act or omission of the GRANTEE or its officers, agents, servants, employees, or anyone else under GRANTEE's direction and control and arising out of, occurring in connection with, resulting from or caused by the performance or failure of performance or the nonperformance of said work, service or business. Upon notice given to GRANTEE by GRANTOR, GRANTEE must defend, at its own expense, any said action or suit brought against the GRANTOR and Counsel chosen by GRANTEE to defend GRANTOR must be satisfactory to GRANTOR.

#### Section 12. Insurance

A. GRANTEE shall carry, procure, furnish and file with the City Secretary insurance as follows:

1. Workers Compensation

GRANTEE shall furnish a certificate of insurance indicating workers compensation coverage as required by the State of Texas.

2. Automobile Liability Insurance

GRANTEE shall carry in its own name, a policy in comprehensive form to insure the automobile liability of its operation with limits to not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury and, in addition, not less than One Hundred Thousand (\$100,000.00) property damage. This policy shall name GRANTOR as an additional insured and provide for thirty (30) days notice to GRANTOR prior to cancellation. A certification of insurance showing such coverage shall be filed before the effective date of this franchise, and it shall be maintained in force during the term of this franchise and any extension thereto.

3. General Liability

GRANTEE shall carry, in its own name, a comprehensive liability insurance policy including contractual coverage for operations other than automobile with limits of not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury, and One Hundred Thousand Dollars (\$100,000.00) per

occurrence for property damage. The policy shall name the GRANTOR as a named insured and provide for thirty (30) days notice to GRANTOR prior to cancellation. A certificate of insurance certifying such coverage shall be filed before the effective date of this franchise and maintained in force during the term the franchise and any extension thereto.

### Section I3. Service Standard and Equipment

GRANTEE shall maintain and operate its collection system and equipment in good order to render efficient service subject to the terms of this franchise. GRANTEE shall obtain and maintain in good working order sufficient equipment to provide regular service throughout the City of Laredo. The trucks used in the collection of garbage or refuse shall be all metal, water tight, and shall be equipped with closed bodies equipped with hydraulically operated devices for compacting collected garbage and meet all federal and state laws and regulations and are subject to approval by GRANTOR. GRANTEE shall not litter premises in the process of making collections nor allow any refuse to blow at all from any vehicle used for collection. Collection vehicles and all containers shall be painted and numbered and shall have the GRANTEE's name and telephone number painted in letters of a contrasting color. All vehicles and containers shall be kept in a clean and sanitary condition.

### Section I4. Landfill Facilities

A. GRANTEE agrees to use only the city municipal solid waste facilities for disposal or processing of municipal solid waste and industrial solid waste including but not limited to the city sanitary landfills, and other city municipal solid waste facilities such as transfer stations, to discharge municipal solid waste and industrial solid waste as defined in 30 TAC §330.2, that GRANTEE shall collect from its customers. GRANTEE shall pay all landfill fees on time associated with said use. It is specifically understood, however, that the City is under no obligation to furnish sanitary landfills or other municipal solid waste disposing facilities to the GRANTEE. GRANTEE is granted a privilege to use the city municipal solid waste

) disposing and processing facilities. The permit granted to the GRANTEE is limited to the facilities normally operated by the GRANTOR for all municipal garbage disposal or processing. If the GRANTOR's facilities for any reason is not available for use, either temporarily or permanently, as determined by the City Council of the City of Laredo, or by any prohibited solid waste which cannot be accepted by the facilities, as determined by 30 TAC §330, the GRANTOR shall be under no obligation to furnish to the GRANTEE sanitary landfills, or any other municipal solid waste disposing and processing facilities.

B. GRANTEE, in its operation, shall comply with all requirements of the City of Laredo and the department of the city operating the city landfill or refuse disposal site including but not limited the hours designated for receiving refuse at the disposal site.

C. GRANTEE is considered a generator and transporter of waste and may be subject to environmental liability.

#### Section I5. Assignment

) This franchise shall not be assigned without the prior consent of the City Council as expressed in an Ordinance passed by the Council. If consent is given, the terms of this franchise shall be binding upon an inure to the benefit of the parties hereto and their respective administrators, successors, and assigns.

#### Section I6. Notices

All notices, payments, reports, statements or demands, which are given or made to either GRANTEE or GRANTOR, as provided for in this ordinance, or incident to its terms, or in the exercise of the police power of the City, may be effected by personal delivery in writing or by certified mail, postage prepaid. Mailed notices shall be addressed to the Parties at the addresses appearing below, but each Party may change its address by written notice in accordance with this section.

GRANTOR: City of Laredo  
c/o City Manager  
P. O. Box 579  
Laredo, Texas 78042

GRANTEE: Manuel Batista  
Batista Roman Enterprises, Inc.  
1341 Kimberly Dr.  
Laredo, Texas 78045

#### Section 17. Office

GRANTEE shall establish and maintain an office with telephone service and shall keep said office open for business from 9:00 a.m. to 5:00 p.m. each and every day except for Saturday, Sunday and holidays which are recognized by the City for its general employees. Any telephone call received by GRANTEE shall be given prompt and courteous attention.

#### Section 18. Interruption of Service

In the event that service shall be interrupted for any reason for more than forty-eight (48) hours, GRANTOR shall have the right to make temporary independent arrangements for the purposes of continuing this necessary service to its residents in order to provide or protect the public health and safety. If the interruption in service mentioned herein continues for a period of seventy-two (72) hours, then the GRANTOR shall have the right to terminate the rights and privileges granted in this franchise.

#### Section 19. Default and Termination

- A. In the event that any provision of this franchise is violated by GRANTEE, GRANTOR may serve written notice to the GRANTEE of its intention to terminate this franchise.
- B. Said written notice shall contain the reasons for such intention to terminate the franchise.
- C. Unless within ten (10) days after mailing such notice by GRANTOR to GRANTEE, such violation shall cease, or satisfactory arrangements for correction be made by GRANTEE, the City Council may, after a public hearing in which GRANTEE is provided an opportunity to present evidence concerning such violation, by motion duly adopted, declare the franchise terminated and serve written notice upon GRANTEE of the

termination and the termination of the franchise shall be effective upon the mailing of such notice.

D. In the event of a termination, the GRANTOR shall have the right to take over the work or portion thereof and prosecute the same, by contract, franchise, or otherwise, for the account and at the expense of GRANTEE. GRANTEE shall be liable to the GRANTOR for any excess costs, expenses, and revenues occasioned by GRANTOR taking over the service, and in such event the GRANTOR may take possession and utilize in prosecuting the work, such appliances, equipment and sites as may have been used by the GRANTEE and are necessary therefore. After issuance by GRANTOR of its notice of intention to terminate the franchise, GRANTEE shall not remove from the City any of its equipment normally used in the prosecution of the work until arrangements to continue the work, by contract or otherwise, have been completed by GRANTOR.

#### Section 20. Venue

Proper venue under this franchise shall be in Webb County, Texas and Texas Laws shall apply.

#### Section 21. Adoption, Publication and Effective Date

A. This ordinance, upon being introduced at a regular meeting of the City Council, shall be read at three separate regular meetings of the City Council and shall not be passed finally until thirty (30) days after the first reading.

B. Within five (5) days following each of the three (3) readings of this ordinance, the full text of this ordinance shall be published in some newspaper of general circulation of the City, and the expense of such publication shall be borne by GRANTEE.

C. This ordinance shall not become effective until it has been accepted by GRANTEE and until the expiration of sixty (60) days following the date of its final adoption.

D. The City Secretary is authorized and directed to make appropriate endorsements over his official hand



and the seal of the City of Laredo in the attached Exhibit "B", thereby endorsing the following:

1. the dates upon which this ordinance shall have been read at three separate regular meetings of the City Council and the date of final passage of this ordinance; and

2. the dates upon which the full text of this ordinance shall have been published for three times and the name and address of the daily newspaper in which such publications were had in the City of Laredo; and the date upon which this ordinance shall take effect.

**Section 22. Severability**

If any, provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstance, except for section 5 herein, is for any reason held to be unconstitutional, void, invalid or for any reason unenforceable, the validity of the remaining portion of this ordinance or its application to other person or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Laredo in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity, and all provisions are declared severable for that purpose.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
XXst\_DAY OF Month 200X,

---

Elizabeth G. Flores  
Mayor

ATTEST:

---

Gustavo Guevara, Jr.  
City Secretary

APPROVED AS TO FORM:  
Jaime L. Flores

By:

~~Assistant City Attorney~~

13

) \_\_\_\_\_ day of July, 2004.

\_\_\_\_\_  
Gustavo Guevara, Jr.  
City Secretary

(SEAL)



**COUNCIL COMMUNICATION**

<b>DATE:</b>  APRIL 05, 2004	<b>SUBJECT: PUBLIC HEARING/INTRODUCTORY ORDINANCE</b>  Authorizing the City Manager to accept a grant in the amount of \$10,000 from the Texas Department of Transportation for the enforcement of the seat belt law and authorizing the City Manager to decrease the City of Laredo's FY 03-04 Annual Budget in the amount of \$22,500. This grant is for overtime salaries and is funded 100% by the Texas Department of Transportation.																
<b>INITIATED BY:</b> Larry Dovalina City Manager	<b>STAFF SOURCE:</b> Agustin Dovalina, III. Chief of Police																
<b>PREVIOUS COUNCIL ACTION:</b> None.																	
<b>ACTION PROPOSED:</b> That this Ordinance be passed and approved.																	
<b>BACKGROUND:</b>  The Texas Department of Transportation has made a grant entitled <i>Click It or Ticket</i> available to the Laredo Police Department. The grant will pay for overtime salaries for police officers for the enforcement of the seat belt law during May 24, 2004 – June 6, 2004. Public information materials will also be available under this grant.																	
<b>FINANCIAL:</b> <table><tr><td><b>Revenues:</b></td><td><b>Original Budget</b></td><td><b>Amended Budget</b></td><td><b>Budget Amendment</b></td></tr><tr><td>TxDoT/Memorial Day</td><td>32,500</td><td>\$10,000</td><td>(\$22,500)</td></tr><tr><td><b>Expenditures:</b></td><td></td><td></td><td></td></tr><tr><td>Overtime</td><td>32,500</td><td>\$10,000</td><td>(\$22,500)</td></tr></table>		<b>Revenues:</b>	<b>Original Budget</b>	<b>Amended Budget</b>	<b>Budget Amendment</b>	TxDoT/Memorial Day	32,500	\$10,000	(\$22,500)	<b>Expenditures:</b>				Overtime	32,500	\$10,000	(\$22,500)
<b>Revenues:</b>	<b>Original Budget</b>	<b>Amended Budget</b>	<b>Budget Amendment</b>														
TxDoT/Memorial Day	32,500	\$10,000	(\$22,500)														
<b>Expenditures:</b>																	
Overtime	32,500	\$10,000	(\$22,500)														
<b>RECOMMENDATION:</b>	<b>STAFF:</b>  Recommends that Council approve this Ordinance.																

**ORDINANCE**

**Authorizing the City Manager to accept a grant in the amount of \$10,000 from the Texas Department of Transportation for the enforcement of the seat belt law and authorizing the City Manager to decrease the City of Laredo's FY 03-04 Annual Budget in the amount of \$22,500. This grant is for overtime salaries and is funded 100% by the Texas Department of Transportation.**

**Whereas,** there is available to the City of Laredo a grant entitled *Click It or Ticket* from the Texas Department of Transportation for a program which would pay for overtime salaries for off duty police officers for the enforcement of the seat belt law during May 24, 2004 – June 6, 2004; and

**Whereas,** the Police Chief Recommends that the Council authorize acceptance of a grant for such a program in the amount of \$10,000 for fiscal year 2003/2004; and

**Whereas,** the City Council finds that such acceptance should be made and will be beneficial to the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** It authorizes the City Manager to accept a grant from the Texas Department of Transportation in the amount of \$10,000 for the enforcement of the seat belt law during May 24, 2004 through June 6, 2004.

**Section 2:** It authorizes the City Manager to execute all necessary documents to achieve said grant and to effectuate its terms.

**Section 3: Financial** - The proposed budget amendment is as follows:

Revenues: Budget Amendment	Original Budget	Proposed Budget	Amended Budget
TxDot/Memorial Day	32,500	\$10,000	(\$22,500)
Expenditures: Overtime	32,500	\$10,000	(\$22,500)

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
CITY MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAMIE FLORES  
CITY ATTORNEY

ASS'T





# COUNCIL COMMUNICATION

<b>DATE:</b>  <p>04 / 05 / 2004</p>	<b>SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE</b>  <p>Authorizing the City Manager to amend the 2003-2004 annual budget in the amount of \$5,208 for the Laredo Multi-Agency Narcotics Task Force. Funds will be used from program income to pay for vehicle maintenance and wrecker fees. The use of program income was previously approved by the Office of the Governor Criminal Justice Division through a grant adjustment dated March 19 2004.</p>																																										
<b>INITIATED BY:</b> <p>Cynthia Collazo Assistant City Manager</p>		<b>STAFF SOURCE:</b> <p>Agustin Dovalina, III Chief of Police</p>																																									
<b>PREVIOUS COUNCIL ACTION:</b> <p>No pervious action.</p>																																											
<b>ACTION PROPOSED:</b> <p>That City Council passes this ordinance.</p>																																											
<b>BACKGROUND:</b>  <p>The City of Laredo has been the grantee agency for the past 13 years of the Laredo Multi-Agency Narcotic Task Force. The Task Force works together with all law enforcement agencies to enforce Federal and State narcotics laws in the City of Laredo, and the counties of Webb and Zapata. This grant pays for salaries, benefits, direct operating expenses and equipment only.</p>																																											
<table border="0"> <tr> <td><b>FINANCIAL:</b></td> <td>Amended Budget</td> <td>Proposed Amended Budget</td> <td>Proposed Budget Amendment</td> </tr> <tr> <td colspan="4"><b>REVENUES:</b></td> </tr> <tr> <td>Fund Balance</td> <td>\$ 79,294</td> <td>\$ 84,502</td> <td>\$ 5,208</td> </tr> <tr> <td>Narcotics TF 03/04</td> <td>\$ 1,142,115</td> <td>\$ 1,142,115</td> <td>- 0 -</td> </tr> <tr> <td>Transfer-In from G/F</td> <td>\$ 241,249</td> <td>\$ 241,249</td> <td>- 0 -</td> </tr> <tr> <td>Webb/Zapata Match</td> <td>\$ 113,529</td> <td>\$ 113,529</td> <td>- 0 -</td> </tr> <tr> <td><b>TOTAL REVENUES</b></td> <td><b>\$ 1,576,187</b></td> <td><b>\$ 1,581,395</b></td> <td><b>\$ 5,208</b></td> </tr> <tr> <td colspan="4"><b>EXPENDITURES:</b></td> </tr> <tr> <td>Narcotics TF 03/04</td> <td>\$ 1,576,187</td> <td>\$1,581,395</td> <td>\$ 5,208</td> </tr> <tr> <td><b>TOTAL EXPENDITURES</b></td> <td><b>\$ 1,576,187</b></td> <td><b>\$1,581,395</b></td> <td><b>\$ 5,208</b></td> </tr> </table>				<b>FINANCIAL:</b>	Amended Budget	Proposed Amended Budget	Proposed Budget Amendment	<b>REVENUES:</b>				Fund Balance	\$ 79,294	\$ 84,502	\$ 5,208	Narcotics TF 03/04	\$ 1,142,115	\$ 1,142,115	- 0 -	Transfer-In from G/F	\$ 241,249	\$ 241,249	- 0 -	Webb/Zapata Match	\$ 113,529	\$ 113,529	- 0 -	<b>TOTAL REVENUES</b>	<b>\$ 1,576,187</b>	<b>\$ 1,581,395</b>	<b>\$ 5,208</b>	<b>EXPENDITURES:</b>				Narcotics TF 03/04	\$ 1,576,187	\$1,581,395	\$ 5,208	<b>TOTAL EXPENDITURES</b>	<b>\$ 1,576,187</b>	<b>\$1,581,395</b>	<b>\$ 5,208</b>
<b>FINANCIAL:</b>	Amended Budget	Proposed Amended Budget	Proposed Budget Amendment																																								
<b>REVENUES:</b>																																											
Fund Balance	\$ 79,294	\$ 84,502	\$ 5,208																																								
Narcotics TF 03/04	\$ 1,142,115	\$ 1,142,115	- 0 -																																								
Transfer-In from G/F	\$ 241,249	\$ 241,249	- 0 -																																								
Webb/Zapata Match	\$ 113,529	\$ 113,529	- 0 -																																								
<b>TOTAL REVENUES</b>	<b>\$ 1,576,187</b>	<b>\$ 1,581,395</b>	<b>\$ 5,208</b>																																								
<b>EXPENDITURES:</b>																																											
Narcotics TF 03/04	\$ 1,576,187	\$1,581,395	\$ 5,208																																								
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,576,187</b>	<b>\$1,581,395</b>	<b>\$ 5,208</b>																																								
<b>RECOMMENDATION:</b>		<b>STAFF:</b> <p>Staff recommends that this ordinance be passed.</p>																																									

## **ORDINANCE**

**AUTHORIZING THE CITY MANAGER TO AMEND THE 2003-2004 ANNUAL BUDGET IN THE AMOUNT OF \$5,208 FOR THE LAREDO MULTI-AGENCY NARCOTICS TASK FORCE. FUNDS WILL BE USED FROM PROGRAM INCOME TO PAY FOR VEHICLE MAINTENANCE AND WRECKER FEES. THE USE OF PROGRAM INCOME WAS PREVIOUSLY APPROVED BY THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION THROUGH A GRANT ADJUSTMENT DATED MARCH 19, 2004.**

**Whereas**, the City Council previously adopted the budget for fiscal year 2003 – 2004; and

**Whereas**, grant funds are awarded through the Office of the Governor Criminal Justice Division; and

**Whereas**, the grant funds are utilized by the Laredo Narcotics Task Force to interdict illegal drugs in Webb and Zapata Counties; and

**Whereas**, the Laredo Narcotics Task Force interdiction program seized illegal drug proceeds that is judicially forfeited; and

**Whereas**, the Chief of Police recommends the approval of the budget amendment and program income will be used to pay the additional overtime salaries and fringe benefits; and

**Whereas**, in the event of loss or misuse of CJD funds, the governing body assures that the funds will be returned to CJD in full.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

Section 1: Authorizing the City Manager to amend the City of Laredo's 2003-2004 annual budget in the amount of \$5,208 for the Laredo Multi-Agency Narcotics Task Force.

Section 2: The City of Laredo's 2003-2004 annual budget is hereby amended in the amount of \$5,208 for the Laredo Multi-Agency Narcotics Task Force.

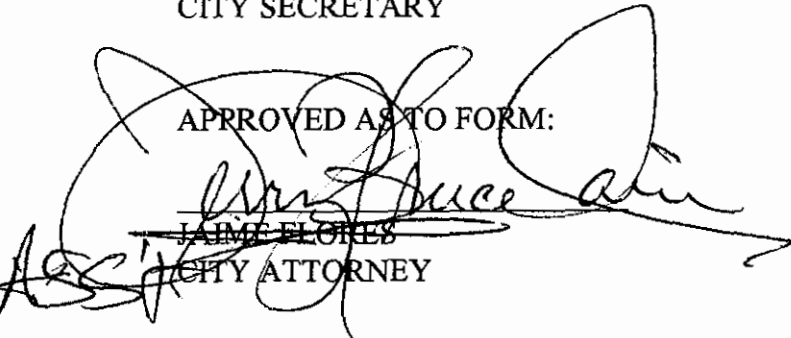
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

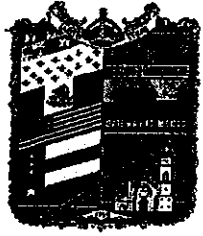
ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAIME FLORES

CITY ATTORNEY



# LAREDO MULTI-AGENCY NARCOTICS TASK FORCE

P.O. Box # 3690  
Laredo, Texas 78041  
(956) 791-6202  
Fax: (956) 791-8053  
Agustín Dovalina, III  
Chief of Police/Project Director  
Armando Rodriguez  
Commander/Project Manager



February 24, 2004

Aimee Snoddy, Director  
Justice Programs  
Criminal Justice Division  
1100 San Jacinto 2<sup>nd</sup> Floor  
Austin, Texas 78701

**Re: Grant Adjustment #2 for Grant # DB-03-A10-12039-05**

Dear Ms. Snoddy,

The Laredo Multi-Agency Narcotics Task Force is hereby requesting authorization for a grant adjustment to Grant #DB-03-A10-12039-05 for the following expense:

*(1) Approval is requested to transfer between the following line-items:*

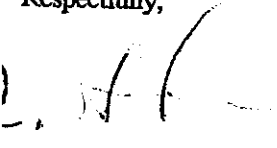
- (A) \$9,363 from Line Item "Machinery & Equipment", Schedule D, "Equipment" to Line Item "Computer Hardware", Schedule D, "Equipment".*
- (B) \$6,665 from Line Item "Salaries", Schedule A, "Personnel" to Line Item "Computer Hardware", Schedule D, "Equipment".*
- (C) \$4,000 from "Program Income", to Line Item "Vehicle Maintenance", Schedule E, "Direct Operating Expenses".*
- (D) \$1,208 from "Program Income" to Line Item "Wrecker Fees", Schedule E, "Direct Operating Expenses".*

*(2) The purchase of the following equipment under Schedule D – "Equipment":*

*Eleven (11) Dell Computers (Approximated Cost: \$17,600).*

If you have any questions, please contact Yolanda Rodriguez at (956) 794-1730 ext. 1582.

Respectfully,

  
Agustín Dovalina, III  
Project Director  
Laredo Narcotics Task Force

**OFFICE OF THE GOVERNOR  
CRIMINAL JUSTICE DIVISION  
GRANT ADJUSTMENT NOTICE**

**Grant Number:** 12039-05                      **Adjustment Number:** 2                      **Date:** 03/19/2004  
**Grantee Name:** Laredo, City of  
**Project Title:** Laredo Multi-Agency Narcotics Task Force  
**Region:** 1900  
**Grant Period:** 07/01/2003 to 05/31/2004  
**Funding Source:** DB-Byrne Formula Grant Program

---

***Any approved budget changes are reflected on the attached Approved Adjusted Budget Summary.***

The adjustment outlined in the correspondence dated February 24, 2004, and received by the Criminal Justice Division on March 5, 2004, from Agustin Dovalina has been approved. The CJD Executive Director granted an exemption to move more than 25% of a budgeted salary position. This adjustment will count as the second of four allowable adjustments allowed during the grant period.

By:

  
\_\_\_\_\_  
Program Director

Post Office Box 12428, Austin, Texas 78711 (512) 463-1919

## APPROVED ADJUSTED BUDGET SUMMARY

	CJD	Cash Match	In Kind	TOTAL
A. Personnel:	\$1,057,850	\$268,901	\$0	\$1,326,751
B. Contractual:	\$0	\$4,000	\$0	\$4,000
C. Travel:	\$10,000	\$7,000	\$0	\$17,000
D. Equipment:	\$38,665	\$0	\$0	\$38,665
E. Construction	\$0	\$0	\$0	\$0
F. Supplies:	\$35,600	\$159,379	\$0	\$194,979
G. Indirect:	\$0	\$0	\$0	\$0
<b>Total:</b>	<b>\$1,142,115</b>	<b>\$439,280</b>	<b>\$0</b>	<b>\$1,581,395</b>

### Budget Detail:

- A. LPD Sergeant/Task Force Commander (100%) \$72,111  
 LPD Sergeant (100%) \$72,111  
 LPD Investigator (100%) \$66,813  
 LPD Investigator (100%) \$66,813  
 LPD Investigator (100%) \$66,813  
 LPD Investigator (100%) \$66,813  
 LLPD Officer (100%) \$61,613  
 LLPD Officer (100%) \$61,613  
 LLPD Officer (100%) \$948  
 LLPD Officer/Intel Analyst COUNTERTERRORISM (100%) \$52,994  
 LPD Administrative Assistant (100%) \$44,712  
 LPD Administrative Secretary (100%) \$36,803  
 LPD Custodian (50%) \$19,018  
 Webb County Sheriff (100%) \$56,337  
 Webb County Sheriff (100%) \$56,337  
 Webb County Constable (100%) \$48,597  
 Webb County Constable/Intel Investigator COUNTERTERRORISM(100%) \$46,493  
 Webb County District Attorney (100%) \$71,562  
 Webb County District Attorney (100%) \$47,022  
 Webb County District Attorney (100%) \$47,022  
 Zapata County Attorney Investigator (100%) \$46,228  
 Zapata County Attorney Investigator (100%) \$46,228  
 Zapata County Attorney Investigator (100%) \$46,228  
 Zapata County Attorney Investigator (100%) \$46,228  
 Overtime, \$79,294
- B. Drug Testing Fees \$2,000  
 Audit Fees \$2,000
- C. CJD Conference; CJD Financial Management \$5,000  
 DPS Training; Cleris Training \$2,000  
 Intel Travel and Training COUNTERTERRORISM \$10,000
- D. Network Telephone Equipment, telephones, internal wiring and fiber optics \$15,637

Post Office Box 12428, Austin, Texas 78711 (512) 463-1919

Computers (15) \$23,028

**F.** Alarm Fees \$500  
Building Lease \$45,000  
Vehicle Rental/Intelligence (Investigator) COUNTERTERRORISM \$7,200  
Communications \$25,000  
Communications/Intelligence COUNTERTERRORISM \$3,600  
Confidential Funds \$49,935  
Copier Lease \$6,000  
Fuel \$40,000  
Janitorial Supplies \$640  
Janitorial Services \$1,700  
Office Supplies \$1,500  
Photo and Audio Supplies \$500  
P.O. Box Rental/Postage \$500  
Radio Repair \$800  
Utilities \$3,000  
Vehicle Maintenance \$7,896  
Wrecker Fees \$1,208

Post Office Box 12428, Austin, Texas 78711 (512) 463-1919





# COUNCIL COMMUNICATION

<b>DATE:</b> 4-5-04	<b>SUBJECT: PUBLIC HEARING &amp; INTRODUCTORY ORDINANCE</b> <b>AUTHORIZING THE CITY MANAGER TO AMEND THE TRANSIT CAPITAL GRANTS BUDGET BY APPROPRIATING \$322,592.00 AS A LOCAL MATCH, FOR THE TEXAS DEPARTMENT OF TRANSPORTATION VEHICLE CAPITAL REPLACEMENT (VCR) GRANT IN THE AMOUNT OF \$610,300.00 FOR THE PURCHASE OF THREE 35 FT CNG BUSES TO TOTAL \$932,892.00; AND REAFFIRMING THE CITY OF LAREDO INTENT TO PARTICIPATE IN THE STATE VCR PROGRAM.</b>																																						
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Thomas N. Lucek, Transit General Manager																																					
<b>PREVIOUS COUNCIL ACTION:</b> On October 21, 2002 the City Council authorized the City Manager to award a contract with National Bus Sales and Leasing for the purchase of four (4) Compressed Natural Gas 35 ft. Coaches with the option to purchase five (5) additional transit coaches, for \$310,964.00 each.  On August 4, 2003 the City Council authorized the City Manager to exercise an option to purchase five (5) buses (35 ft. CNG) in contract with National Bus Sales and Leasing.																																							
<b>BACKGROUND:</b> After the August 4, 2003 action only two (2) buses were purchased utilizing a TxDot VCR Grant X301. The three remaining coaches did not meet FTA Bidding requirements (FTA Grant X438 and X499) and were not ordered.  However, with the anticipated VCR grant agreement, we are requesting your approval to authorize the City Manager to appropriate up to \$322,592 (Transit Sales Tax) as the Local match. The TxDot VCR Grant amount is \$610,300, totaling \$932,892. This will allow us to purchase the remaining three (3) buses in contract with National Bus Sales and Leasing at the original bid amount of \$310,964.00 each.  Once all appropriate funding is finalized we can anticipate delivery of the three (3) remaining transit coaches within 90 to 120 days.																																							
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 40%;"><b>FINANCIAL IMPACT:</b></th> <th style="text-align: center; width: 15%;">Budget</th> <th style="text-align: center; width: 15%;">Budget Amendment</th> <th style="text-align: center; width: 30%;">Proposed Budget</th> </tr> </thead> <tbody> <tr> <td>Transit System –Capital Grants</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Revenues:</td> <td></td> <td></td> <td></td> </tr> <tr> <td>    Transfer In/Sales Tax</td> <td style="text-align: center;">0</td> <td style="text-align: center;">322,592</td> <td style="text-align: center;">322,592</td> </tr> <tr> <td>Expenditures:</td> <td></td> <td></td> <td></td> </tr> <tr> <td>    Automotive</td> <td style="text-align: center;">0</td> <td style="text-align: center;">322,592</td> <td style="text-align: center;">322,592</td> </tr> <tr> <td>Transit System-Sales Tax</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Reserve Appropriation</td> <td style="text-align: center;">1,801,520</td> <td style="text-align: center;">(322,592)</td> <td style="text-align: center;">1,478,928</td> </tr> <tr> <td>Transfer Out-Capital Grants</td> <td style="text-align: center;">0</td> <td style="text-align: center;">322,592</td> <td style="text-align: center;">322,592</td> </tr> </tbody> </table>				<b>FINANCIAL IMPACT:</b>	Budget	Budget Amendment	Proposed Budget	Transit System –Capital Grants				Revenues:				Transfer In/Sales Tax	0	322,592	322,592	Expenditures:				Automotive	0	322,592	322,592	Transit System-Sales Tax				Reserve Appropriation	1,801,520	(322,592)	1,478,928	Transfer Out-Capital Grants	0	322,592	322,592
<b>FINANCIAL IMPACT:</b>	Budget	Budget Amendment	Proposed Budget																																				
Transit System –Capital Grants																																							
Revenues:																																							
Transfer In/Sales Tax	0	322,592	322,592																																				
Expenditures:																																							
Automotive	0	322,592	322,592																																				
Transit System-Sales Tax																																							
Reserve Appropriation	1,801,520	(322,592)	1,478,928																																				
Transfer Out-Capital Grants	0	322,592	322,592																																				
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> Staff recommends introduction of this ordinance.																																					

ORDINANCE NO.

AUTHORIZING THE CITY MANAGER TO AMEND THE TRANSIT CAPITAL GRANTS BUDGET BY APPROPRIATING \$322,592.00 AS A LOCAL MATCH, FOR THE TEXAS DEPARTMENT OF TRANSPORTATION VEHICLE CAPITAL REPLACEMENT (VCR) GRANT IN THE AMOUNT OF \$610,300.00 FOR THE PURCHASE OF THREE 35FT. CNG BUSES TO TOTAL \$932,892.00; AND REAFFIRMING THE CITY OF LAREDO INTENT TO PARTICIPATE IN THE STATE VCR PROGRAM.

WHEREAS, the City Council previously approved the Laredo Transit System Budget on September 16, 2003; and

WHEREAS, the Federal Transit Administration through the Texas Department of Transportation is prepared to award a grant to the City of Laredo, in the maximum amount of \$610,300.00; and

WHEREAS, the City Council finds it to be in the best interests of the City of Laredo, Texas, to accept the said grant in the amount of \$610,300.00 and the funds be allocated to the transit accounts.

NOW THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1. The City Manager is authorized to execute all necessary documents relating to said Grant; and

Section 2. The amount appropriated will be used as a match to purchase 3 buses; and

Section 3. The grant funds shall be deposited into the City of Laredo Transit Fund

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR  
OF THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
Elizabeth G. Flores  
Mayor

Attest:

\_\_\_\_\_  
Gustavo Guevara, Jr.  
City Secretary

Approved as to form:

By \_\_\_\_\_  
Jaime L. Flores  
City Attorney



# Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

March 15, 2004

Dear Public Transportation Operator:

Your assistance is needed to complete the annual selection of vehicle capital replacement (VCR) projects. To complete this process, we need participating transit agencies to compose individual project descriptions that will become a part of the anticipated VCR grant agreements.

The award amount indicated on the attached project description form is the product of a formula based on an agency fleet's relative depreciation and replacement cost. Agencies are encouraged to use less than the amount offered if possible, but the award amount can not be increased. If your award amount is low, we may be able to apply returned funds or place your agency on a contingency project list. If your form does not contain an amount, we have determined that your agency does not have an immediate replacement need or that your agency has received a congressional earmark award for bus replacement. A list of congressional earmark awards is located at:

<http://www.taxpayer.net/budget/fy04omnibus/omnibus/TCSfy04omnibus-full.pdf>

Regardless of the amount indicated on the form, we ask that every agency participate in this process, as complete participation will also support our efforts to develop future VCR projects. The attached form should facilitate the composition of your own project description based on the award. Agencies must provide at least 20% of the project funding as non-federal match, and toll credits are not available for this program. If your agency does not want to participate, please indicate this on the form.

Agencies that have a blank in the formula award amount should compose a project description for a single-vehicle replacement project, providing cost estimates for both the federal amount and the match. If you believe your agency is being unduly excluded from consideration, please send a letter along with your project description that describes your vehicle replacement needs and your particular situation.

Please complete the project description and fax it to (512) 416-2830 as soon as possible, but no later than close of business on March 26, 2004. Once the forms are returned, we may be contacting some of the participating agencies to make award adjustments by adding funds returned from agencies that have elected not to participate or to use less than the maximum award amount provided.

If you have any questions, please contact Paul Moon at (512) 416-2825.

Sincerely,

Susan N. Bryant

Director

Public Transportation Division

## Attachment

cc: Mike Plaster, Texas Transit Association  
Public Transportation Coordinators  
Administration

Grant Number: \_\_\_\_\_  
 (PTN USE ONLY)  
 Project Number: \_\_\_\_\_  
 (PTN USE ONLY)

**Attachment A  
 Project Description and Budget**

Name of Agency: LAREDO MUNICIPAL TRANSIT SYSTEM

Federal Amount: \_\_\_\_\_  
 (maximum) \$610,300

Type of Vehicle	Basic Vehicle Description	Alt. Code	No. (#) Vhls	Fuel Type	Dual Fuel? (Y/N)	Total Cost of Vehicle(s)	Federal Amount	Non-Federal Funding Amount (match)	Non-Federal Funding Source
1	Raised-Roof Van	11.12.15							
2	Cutaway Bus (<30'), 138" WB	11.12.04							
3	Cutaway Bus (<30'), 158" WB	11.12.04							
3	Cutaway Bus (<30'), 176" WB	11.12.04							
11, 15, 16	Bus 30 ft.	11.12.03							
	Bus 40 Ft.	11.12.01							
	Bus 35 Ft.	11.12.02	3	CNG	No	\$932,892.0	\$610,300	\$322,592.0	Transit SalesTax
14	Trolley	11.12.09							
	other								
<b>TOTAL</b>									

\*Must be an alternative fuel:

LP (propane), CN (compressed natural gas), LN (liquefied natural gas), DL (diesel, ultra low-sulfur), HE (hybrid electric diesel), HG (hybrid electric natural gas),  
 If another alternative fuel is to be used, use fuel code "OR" and please describe:

Note: Providing 34% match; will be used to exercise bus purchase options.

Please indicate if the agency will participate:

Participation Accepted ☒

Participation Declined ☐

Robert J. Garza

Name of Person Completing Form

Signature

Date

Phone # of person completing this form: 956-795-2288



# COUNCIL COMMUNICATION

<b>DATE:</b>  04/05/04	<b>SUBJECT: FINAL READING OF ORDINANCE NO. 2004-O-054</b>  Adopting a budget for FY 2003-2004 for the South Texas Regional 911 System Fund. The proposed budget consists of \$606,008.00 in revenues from the Commission on State Emergency Communications and \$606,008.00 in expenditures for the following: Webb County, Jim Hogg County, Starr County, Zapata County and Regional Administrator (City of Laredo). <b>(as amended)</b>																																														
<b>INITIATED BY:</b>  Larry Dovalina, City Manager		<b>STAFF SOURCE:</b>  Jessica L. Hein, Assistant to the City Manager																																													
<b>PREVIOUS COUNCIL ACTION:</b>  A public hearing and an introduction of this ordinance will be held on March 1, 2004.																																															
<b>BACKGROUND:</b>  The City of Laredo approved Resolution 2003-R-066 requesting that the Texas Commission on State Emergency Communications (CSEC) designate the City of Laredo as the administrator of the Region's 9-1-1 Emergency Communication System. At the February 4, 2004, meeting, the Commission on State Emergency Communications designated the City of Laredo as the Administrator for the Region's 9-1-1 System, which became effective March 1, 2004.																																															
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 35%;"><b>FINANCIAL:</b></td> <td style="width: 20%; text-align: center;"><b>Annual Budget FY 2004</b></td> <td style="width: 20%; text-align: center;"><b>Proposed Amendment</b></td> <td style="width: 25%; text-align: center;"><b>Amended Budget FY 2004</b></td> </tr> <tr> <td colspan="4" style="text-align: center;"><b>South Texas Regional 911 System Fund</b></td> </tr> <tr> <td colspan="4"><b>Revenues:</b></td> </tr> <tr> <td>Commission on State Emergency Communication</td> <td style="text-align: center;">0</td> <td style="text-align: center;">606,008</td> <td style="text-align: center;">606,008</td> </tr> <tr> <td colspan="4"><b>Expenditures:</b></td> </tr> <tr> <td>Administration – Program Budget</td> <td style="text-align: center;">0</td> <td style="text-align: center;">40,853</td> <td style="text-align: center;">40,853</td> </tr> <tr> <td>Jim Hogg County</td> <td style="text-align: center;">0</td> <td style="text-align: center;">32,597</td> <td style="text-align: center;">32,597</td> </tr> <tr> <td>Starr County</td> <td style="text-align: center;">0</td> <td style="text-align: center;">165,062</td> <td style="text-align: center;">165,062</td> </tr> <tr> <td>Zapata County</td> <td style="text-align: center;">0</td> <td style="text-align: center;">50,117</td> <td style="text-align: center;">50,117</td> </tr> <tr> <td>Webb County</td> <td style="text-align: center;">0</td> <td style="text-align: center;">233,294</td> <td style="text-align: center;">233,294</td> </tr> <tr> <td>City of Laredo- Administrator</td> <td style="text-align: center;">0</td> <td style="text-align: center;">86,085</td> <td style="text-align: center;">86,085</td> </tr> </table>				<b>FINANCIAL:</b>	<b>Annual Budget FY 2004</b>	<b>Proposed Amendment</b>	<b>Amended Budget FY 2004</b>	<b>South Texas Regional 911 System Fund</b>				<b>Revenues:</b>				Commission on State Emergency Communication	0	606,008	606,008	<b>Expenditures:</b>				Administration – Program Budget	0	40,853	40,853	Jim Hogg County	0	32,597	32,597	Starr County	0	165,062	165,062	Zapata County	0	50,117	50,117	Webb County	0	233,294	233,294	City of Laredo- Administrator	0	86,085	86,085
<b>FINANCIAL:</b>	<b>Annual Budget FY 2004</b>	<b>Proposed Amendment</b>	<b>Amended Budget FY 2004</b>																																												
<b>South Texas Regional 911 System Fund</b>																																															
<b>Revenues:</b>																																															
Commission on State Emergency Communication	0	606,008	606,008																																												
<b>Expenditures:</b>																																															
Administration – Program Budget	0	40,853	40,853																																												
Jim Hogg County	0	32,597	32,597																																												
Starr County	0	165,062	165,062																																												
Zapata County	0	50,117	50,117																																												
Webb County	0	233,294	233,294																																												
City of Laredo- Administrator	0	86,085	86,085																																												
<b>COMMITTEE RECOMMENDATION:</b>  N/A		<b>STAFF RECOMMENDATION:</b>  Approval of this Ordinance.																																													

**ORDINANCE 2004-O-054**

**ADOPTING A BUDGET FOR FY 2003-2004 FOR THE SOUTH TEXAS  
REGIONAL 911 SYSTEM FUND. THE PROPOSED BUDGET CONSISTS OF  
\$606,008.00 IN REVENUES FROM THE COMMISSION ON STATE  
EMERGENCY COMMUNICATIONS AND \$606,008.00 IN EXPENDITURES  
FOR THE FOLLOWING: WEBB COUNTY, JIM HOGG COUNTY, STARR  
COUNTY, ZAPATA COUNTY AND REGIONAL ADMINISTRATOR (CITY OF  
LAREDO). (AS AMENDED)**

**WHEREAS**, on September 22, 2003, City Council adopted fiscal year 2004 annual budget; and

**WHEREAS**, on March 1, 2004, City Council held a public hearing and introduced this ordinance; and

**WHEREAS**, the Commission on State Emergency Communication (CSEC) named the City of Laredo as the Administrator of the South Texas Regional 911 System, the proposed budget amendment is hereby proposed.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF LAREDO THAT:**

**Section 1:** South Texas Regional 9-1-1 System Fund is hereby amended as follows:

<b>FINANCIAL:</b>	<b>Annual Budget FY 2004</b>	<b>Proposed Amendment</b>	<b>Amended Budget FY 2004</b>
<b>Revenues:</b>			
Commission on State Emergency Communication	0	606,008	606,008
<b>Expenditures:</b>			
Administration – Program Budget	0	40,853	40,853
Jim Hogg County	0	32,597	32,597
Starr County	0	165,062	165,062
Zapata County	0	50,117	50,117
Webb County	0	233,294	233,294
City of Laredo- Administrator	0	86,085	86,085



PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.,  
CITY SECRETARY

\_\_\_\_\_  
JAIME L. FLORES  
CITY ATTORNEY

## COUNCIL COMMUNICATION

<b>Date:</b>  04/05/04	<b>SUBJECT:</b> FINAL READING OF ORDINANCE NO. 2004-O-062 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 5, Block 563, Eastern Division, located at 918 Willow St., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District); providing for publication and effective date. <div style="text-align: right;">ZC-01-2004</div>	
<b>Initiated by:</b> Gustavo Zamarripa		<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>Prior action:</b> This item was introduced by Jose A. Valdez, Jr. at the City Council meeting of 03/29/04.		
<b>BACKGROUND</b>  <p><b>Council District:</b> III - John C. Galo</p> <p><b>Proposed use:</b> Residential (a manufactured home)</p> <p><b>Site:</b> The site is occupied by a shed type structure.</p> <p><b>Surrounding land uses:</b> The site is located approximately one-half block south of the Tex-Mex rail-road mainline and one half block east of a Tex-Mex rail-line spur. Warehouses, single family residences and the Tex-Mex rail-line occupy the area south, west and north of the site, while mostly single family residences occupy the area to the east.</p> <p><b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Warehouse/Light Industrial.</p> <p><b>Transportation Plan:</b> The Long Range Thoroughfare Plan does not recognize Willow St.</p> <p><b>Letters sent to surrounding property owners:</b> 20      In Favor: 2      Opposed: 0</p>		
<b>STAFF COMMENTS</b>  <p>The proposed zone change is appropriate at this location. Though inconsistent with the Comprehensive Plan's Warehouse/Light Industrial designation, the proposed less intensive zone is compatible with a majority of the surrounding land use pattern.</p>		
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 7 to 0 vote, recommended approval of the zone change.		<b>STAFF RECOMMENDATION:</b> Staff <u>supports</u> the proposed zone change.

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**R-3 (Mixed Residential District):** The purpose of the R-3 is to provide an area for higher density residential uses, the use of mobile homes on single lots, and those public and semipublic uses normally considered an integral part of the neighborhood they serve.

**Is this change contrary to the established land use pattern?**

No, the surrounding land uses include residential type uses.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

No, the adjoining districts are M-1 and R-3.

**Will change adversely influence living conditions in the neighborhood?**

No, the proposed change will allow for uses that are present in the surrounding neighborhood.

**Are there substantial reasons why the property can not be used in accordance with existing zoning?** No.

**CITY OF LAREDO ORDINANCE NO. 2004-O-062**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 5, BLOCK 563, EASTERN DIVISION, LOCATED AT 918 WILLOW ST., FROM M-1 (LIGHT MANUFACTURING DISTRICT) TO R-3 (MIXED RESIDENTIAL DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of Lot 5, Block 563, Eastern Division, located at 918 Willow St., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on March 29, 2004, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning Lot 5, Block 563, Eastern Division, located at 918 Willow St., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

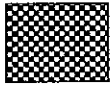
\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY



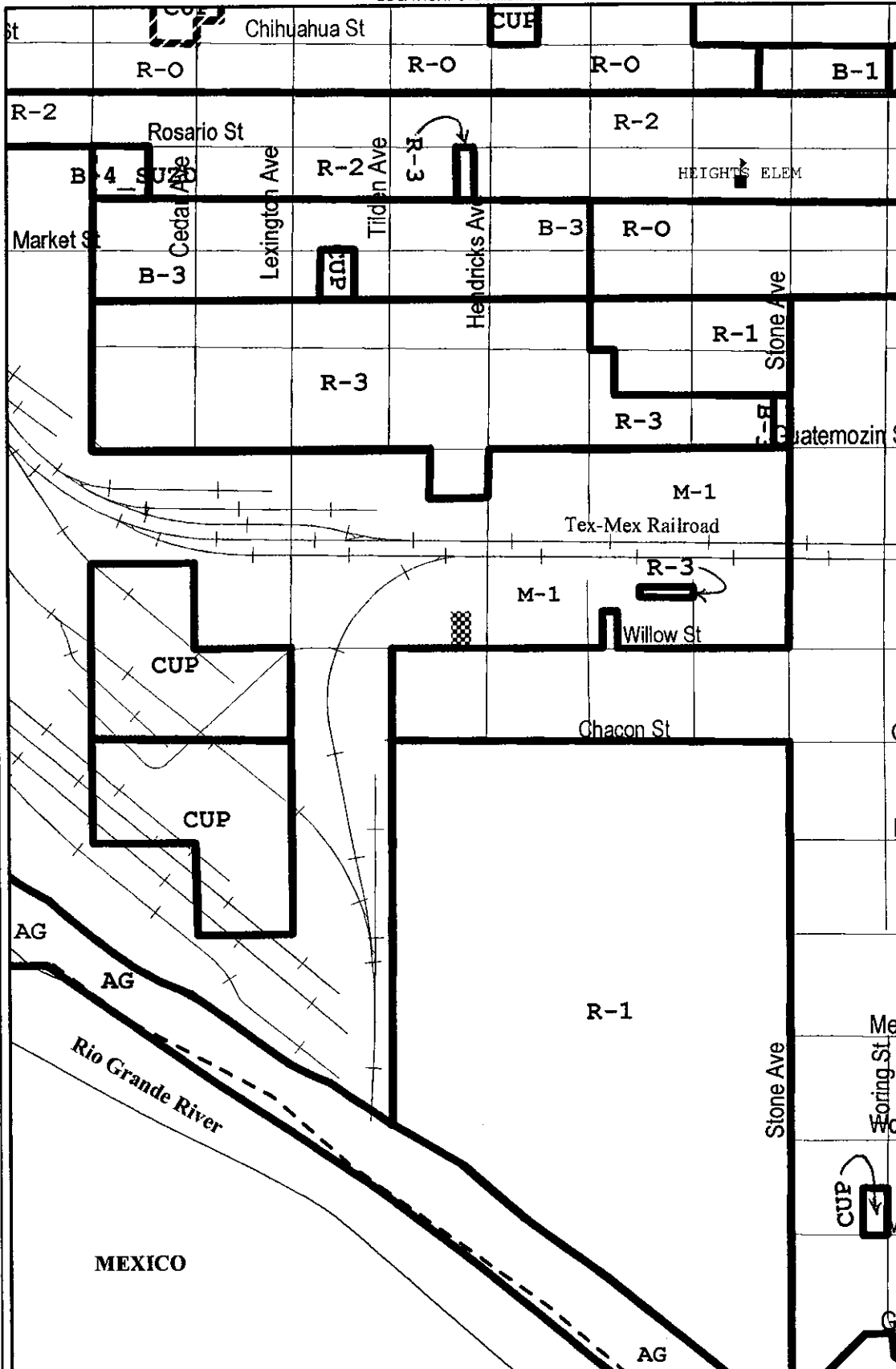
Rezone from M-1 (Light Manufacturing District)  
To R-3 (Mixed Residential District)

City of Laredo  
Planning Department  
Feet

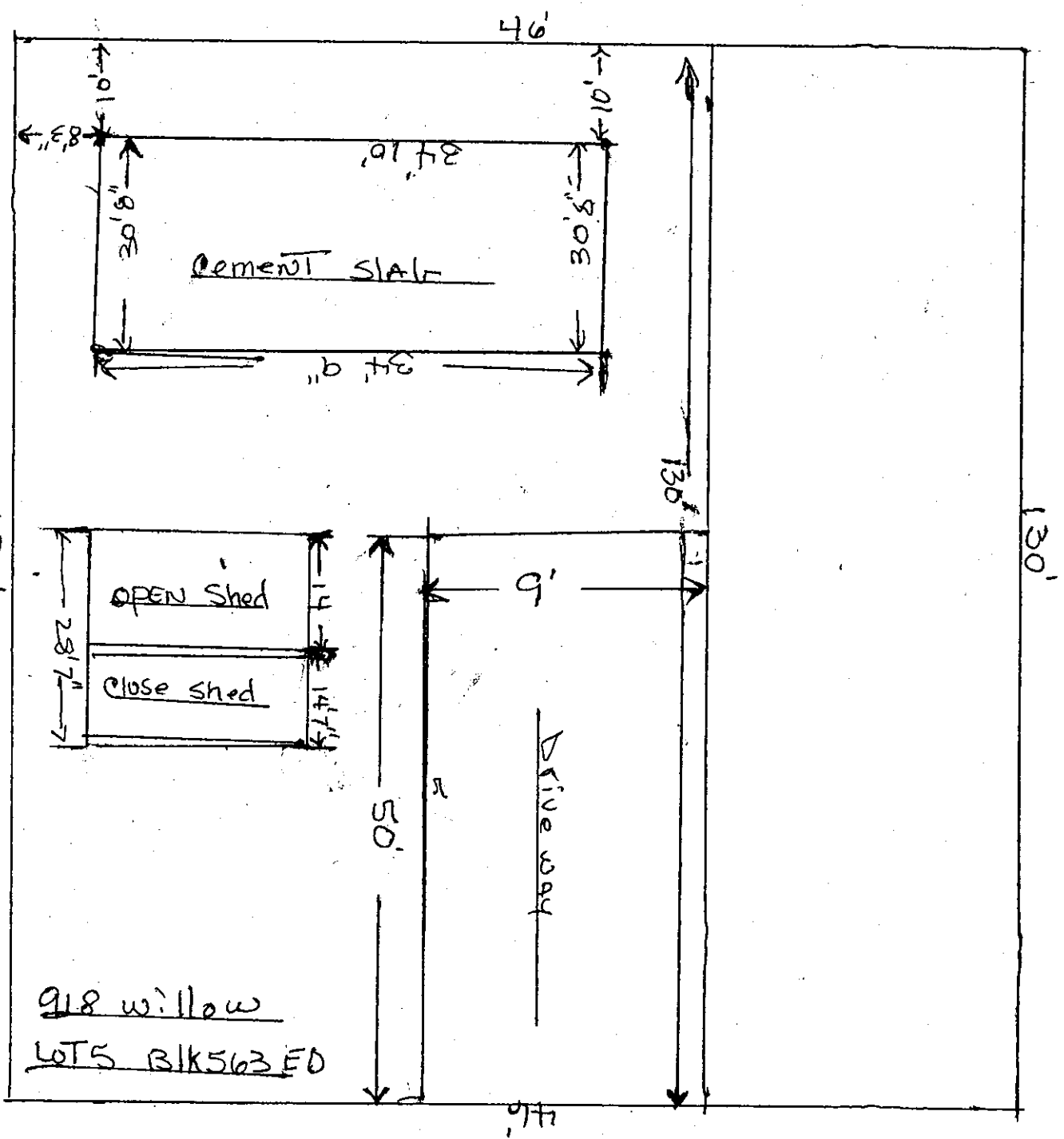
LOCATION: 918 Willow St.

ZC - 01 - 2004

500



City of Laredo  
Zoning Map

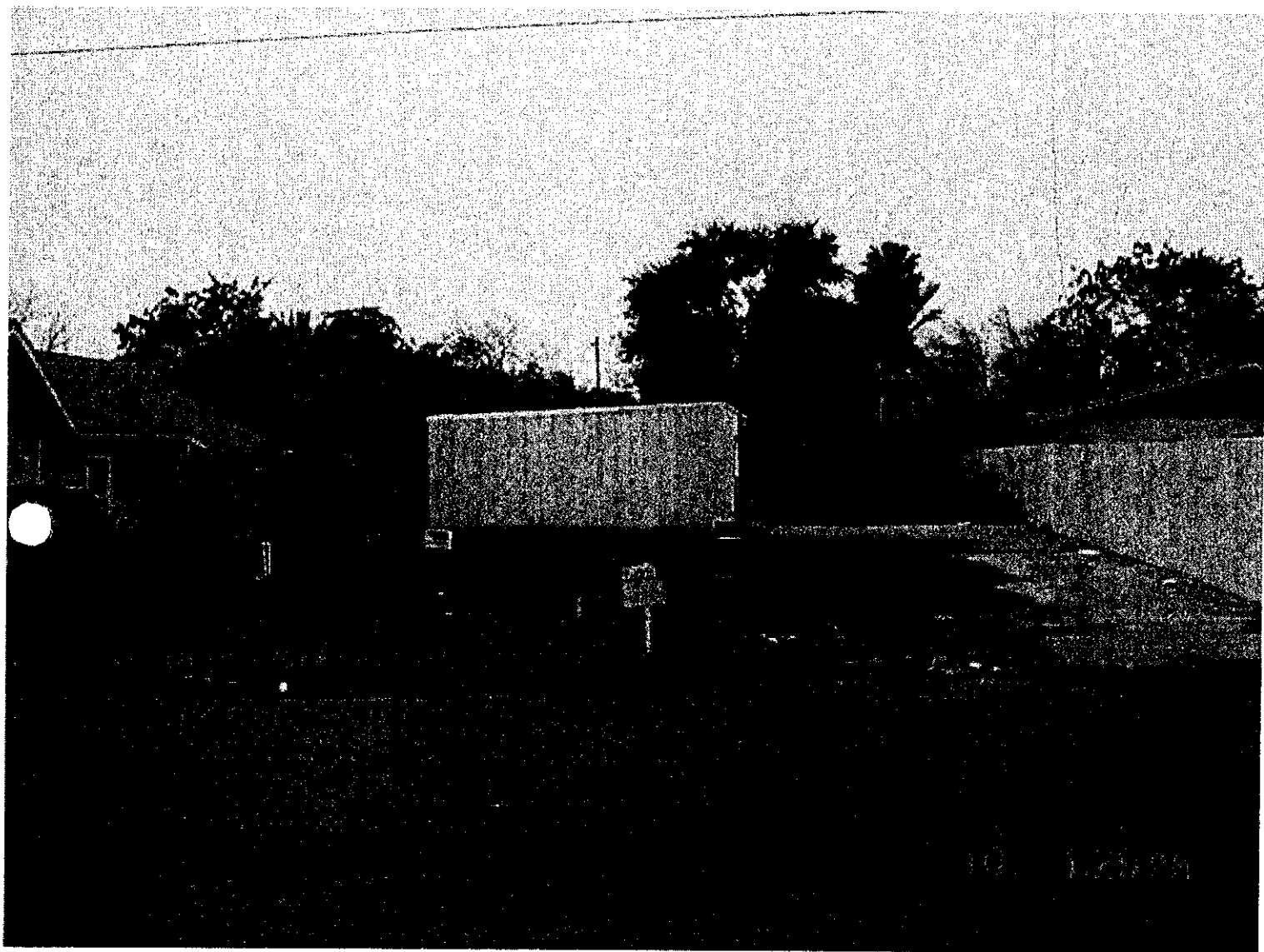


7<sup>th</sup> E

Hendricks Ave

willow

51



ZC-01-04



# COUNCIL COMMUNICATION

<b>Date:</b>  04/05/04	<b>SUBJECT:</b> FINAL READING OF ORDINANCE NO. 2004-O-063 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for general automotive repair on Lots 19 and 20, Block 30, Vista Hermosa, Unit II, located approximately at the 5400 block of McPherson Road; providing for publication and effective date. <span style="float: right;">ZC-05-2004</span>	
<b>Initiated by:</b> Diversified Investors of Laredo		<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>Prior action:</b> This item was introduced by Eliseo Valdez, Jr. at the City Council meeting of 03/29/04.		
<b>BACKGROUND</b> <b>Council District:</b> V – Eliseo Valdez, Jr.  <b>Proposed use:</b> Commercial. (General automotive repair) In general, both light and general automotive repair services will be conducted by 6 employees, Monday – Friday, between the hours of 8:00 am to 7:00 pm and Saturdays, from 8:00 am to 4:00 pm. Offered services include engine tune-up, state inspection, transmission service, etc. See attached Exhibit B for complete narrative regarding the proposed business, <u>All Tune and Lube</u> .  <b>Site:</b> The site is currently vacant. The site is zoned B-3 (Community Business District).  <b>Surrounding land uses:</b> The areas west and south are characterized by commercial and residential uses (Mission Viejo condominiums) along McPherson Road including EZ Pawn, Auto Zone, Postal Boxes and More, Auto Alarms, Cadbeck Staffing, Rodriguez Insurance, Triple J Express Lube, and a Medical Plaza under construction. The area to the east is dominated by single family residences.  <b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Retail/Office.  <b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies McPherson Rd. as a Major Collector.  <b>Letters sent to surrounding property owners:</b> 81      In Favor: 0      Opposed: 3		
<b>STAFF COMMENTS</b> Staff supports the issuance of the proposed Conditional Use permit. General automotive repair including transmission repair, exhaust system replacement etc., require B-4 designation, rather than the B-1 required for light automotive repairs. While a B-4 designation is unwarranted at this location, conditional use status is appropriate as the proposed use “will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed as allowable in the underlying zoning districts.” Though the site directly abuts single family residences to the east, they will be adequately buffered from the proposed use by the imposition of the following Staff recommended conditions:  1. The proposed use and all related activities, including parking, are prohibited on the easternmost 115 feet of the site.		
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 9 to 0 vote, recommended approval of the Conditional Use Permit.		<b>STAFF RECOMMENDATION:</b> Staff <u>supports</u> the proposed Conditional Use Permit.

Comments continued...

## COUNCIL COMMUNICATION

### STAFF COMMENTS CONTINUED:

2. A 7' foot opaque fence shall be required at the easternmost boundary of the site, as well as, another 7' foot opaque fence, spanning the entire site, 115' feet from the easternmost boundary, which may be removed if a legal B-3 use occupies the easternmost 115' of the site.
3. Canopy trees shall be placed at 15' foot intervals at the easternmost boundary.
4. Signage limited to that which is allowed in a B-3 district.
5. The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
6. All relevant City of Laredo development requirements shall apply.
7. The Conditional Use Permit shall be issued to Diversified Investors of Laredo and is nontransferable.
8. All general automotive repairs as permitted by the B-4 designation are allowed including those specifically mentioned on attached Exhibit B.

**CITY OF LAREDO ORDINANCE NO. 2004-O-063**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR GENERAL AUTOMOTIVE REPAIR ON LOTS 19 AND 20, BLOCK 30, VISTA HERMOSA, UNIT II, LOCATED APPROXIMATELY AT THE 5400 BLOCK OF MCPHERSON ROAD; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for general automotive repair on Lots 19 and 20, Block 30, Vista Hermosa, Unit II, located approximately at the 5400 block of McPherson Road; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on March 29, 2004, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo.

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence.

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for general automotive repair on Lots 19 and 20, Block 30, Vista Hermosa, Unit II, located approximately at the 5400 block of McPherson Road.

Section 2: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The proposed use and all related activities, including parking, are prohibited on the easternmost 115 feet of the site.
2. A 7' foot opaque fence shall be required at the easternmost boundary of the site, as well as, another 7' foot opaque fence, spanning the entire site, 115' feet from the easternmost boundary, which may be removed if a legal B-3 use occupies the easternmost 115' of the site.
3. Canopy trees shall be placed at 15' foot intervals at the easternmost boundary.
4. Signage limited to that which is allowed in a B-3 district.
5. The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
6. All relevant City of Laredo development requirements shall apply.
7. The Conditional Use Permit shall be issued to Diversified Investors of Laredo and is nontransferable.
8. All general automotive repairs as permitted by the B-4 designation are allowed including those specifically mentioned on attached Exhibit B.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

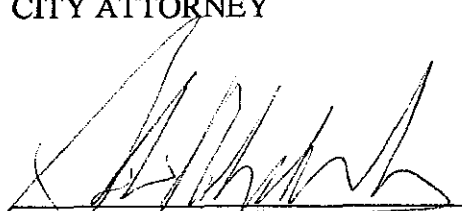
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

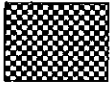
\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY



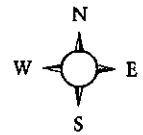
Request for a  
C.U.P. (Conditional Use Permit)

City of Laredo  
Planning Department  
Feet

LOCATION: McPherson Rd

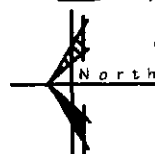
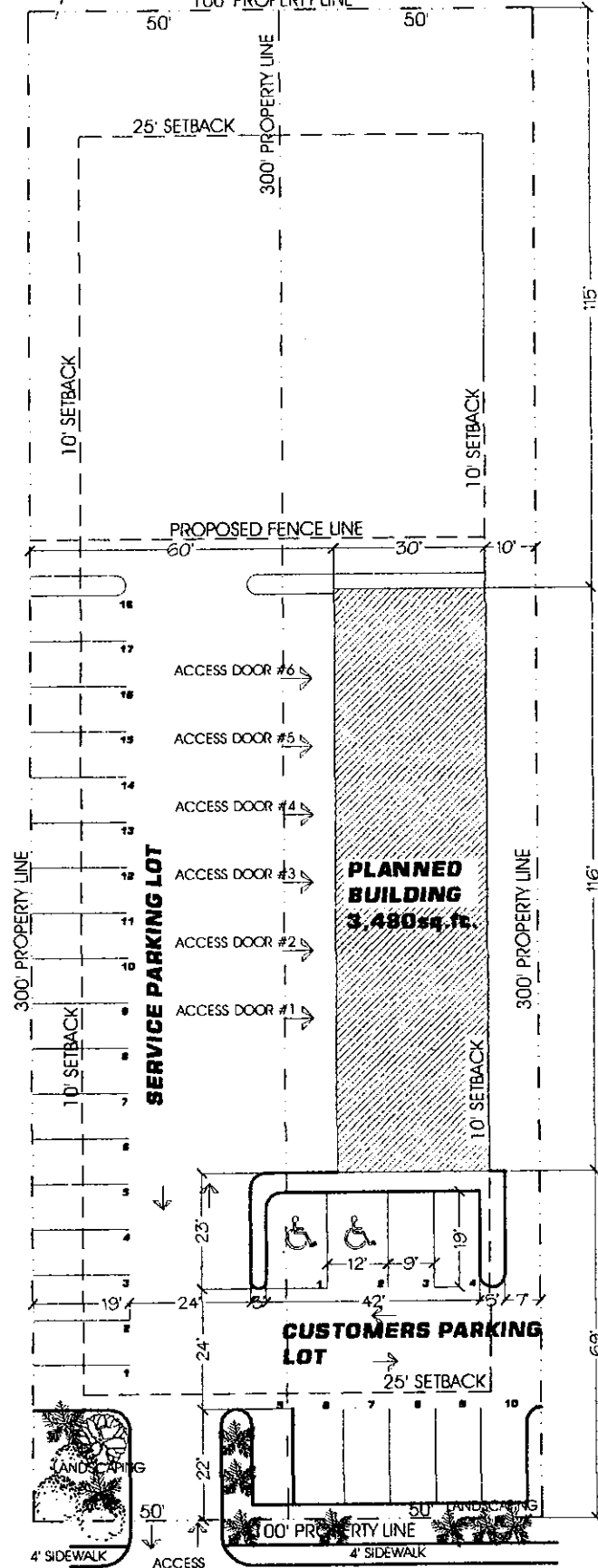
ZC - 05 - 2004

500



City of Laredo  
Zoning Map





**MCPHERSON RD.**

## **SITE PLAN**

VISTA HERMOSA SUBD. UNIT II

**BLOCK #30**

**LOTS: 19, 20**

*Exhibit A*

**PORRAS ENGINEERING COMPANY**  
**CONSULTING ENGINEERS ~SURVEYORS**  
**P.O. Box 1670**  
**Laredo, Tx. 78044**  
**(956) 724-3097 \* Fax (956) 724-9208**  
**E-Mail – porras@netscorp.net**

January 29, 2004

**City of Laredo Planning and Zoning Department**  
**Laredo, Texas 78040**

---

**Attn: Planning & Zoning Commissioners**

**Ref: Narrative for a CUP Application at Vista Hermosa II Lots 19 & 20, Block 30**

---

At this time we would like to ask for a CUP for Lots 19 & 20, Block 30, Vista Hermosa Unit II, and present a narrative of the proposed business, called **ALL TUNE and LUBE.**

The services will be conducted by a total of 6 employees, and the operation hours will be from 8:00 a.m. to 7:00 p.m., Monday – Friday and 8:00 a.m. to 4:00 p.m., on Saturday. The services that will be conducted include the following:

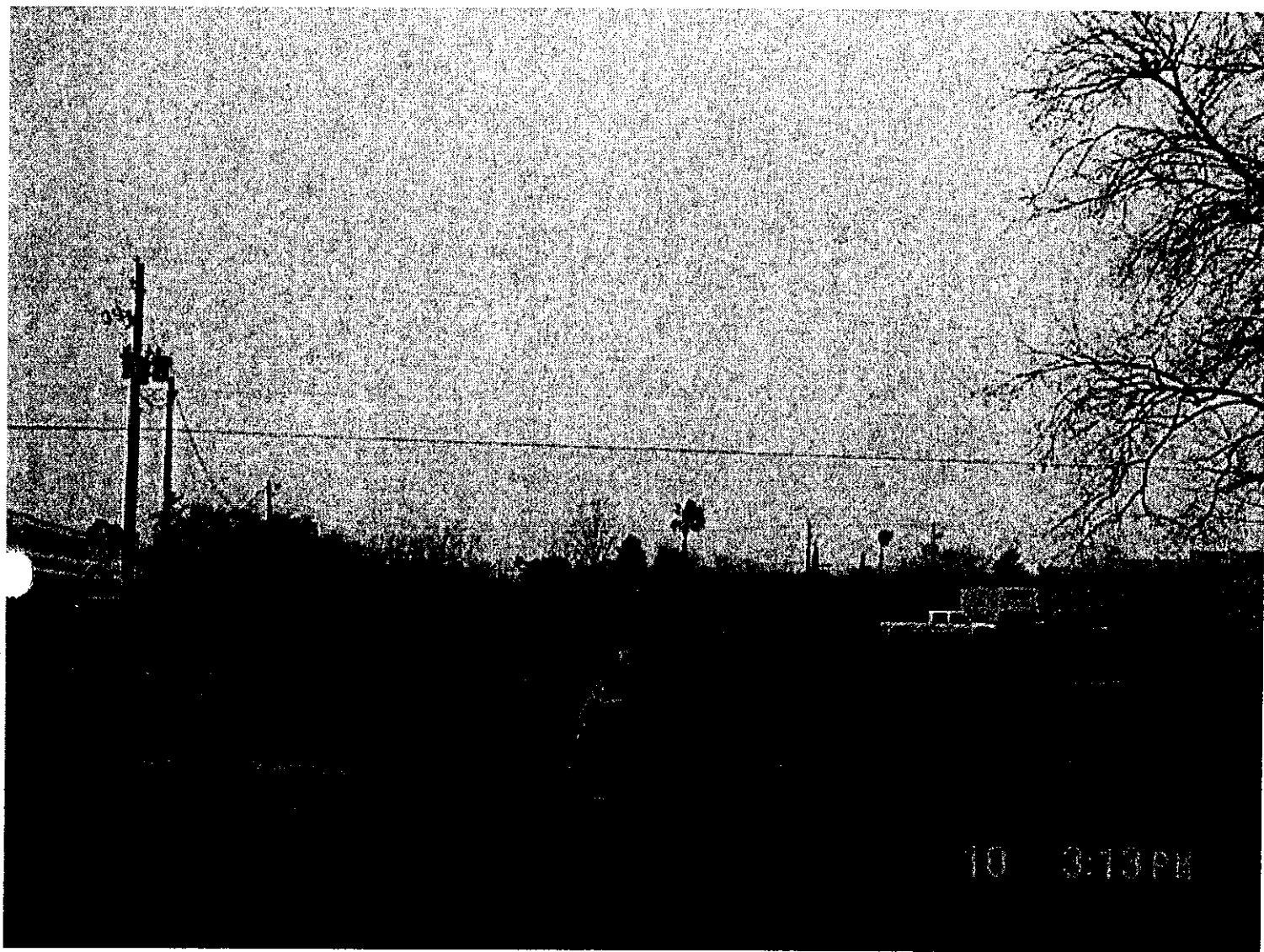
1. Engine Tune-Up,
2. Emission Inspection
3. Fuel Injection & Carburation Service
4. State Inspection
5. Brake Service
6. Alignment
7. Air Conditioning
8. Transmission Service
9. Tire rotation
10. Diagnostic
11. Ride Control, Shocks, Struts
12. Exhaust Systems Replacement
13. Engine Oil and Filter Change, including Lubrication and Vital Fluid Checks

In general, this is the extent of the operations of ALL TUNE and LUBE should there be any questions, please call the phone number above and ask for Paul R. Porras and, thank you for your time on this matter.

Sincerely,  
Porras Engineering Company

  
**Paul R. Porras**





ZC-05-04

## COUNCIL COMMUNICATION

<b>Date:</b>  04/05/04	<b>SUBJECT:</b> FINAL READING OF ORDINANCE NO. 2004-O-064 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning 21.88 acres, as further described by metes and bounds in attached Exhibit "A", located east of Havanna Dr., from AG (Agricultural District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. <span style="float: right;">ZC-08-2004</span>	
<b>Initiated by:</b> San Isidro Southeast, Ltd.		<b>Staff source:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>Prior action:</b> This item was introduced by Gene Belmares at the City Council meeting of 03/29/04.		
<b>BACKGROUND</b>  <p><b>Council District:</b> VI- Gene Belmares</p> <p><b>Proposed use:</b> Residential.</p> <p><b>Site:</b> The site is currently vacant and undeveloped.</p> <p><b>Surrounding land uses:</b> The areas west of the site are occupied by the U. I. S. D San Isidro School Plat, San Isidro Taos and Amazonia Subdivisions, mainly devoted to single family residential uses; while the areas north, east and south are large vacant and undeveloped areas.</p> <p><b>Comprehensive Plan:</b> The Future Land Use Map recognizes this area as Low Density Residential.</p> <p><b>Transportation Plan:</b> The Long Range Thoroughfare Plan identifies International Blvd. as a Major Collector.</p> <p><b>Letters sent to surrounding property owners:</b> 3      <b>In Favor:</b> 0      <b>Opposed:</b> 0</p>		
<b>STAFF COMMENTS</b>  <p>The proposed zone change is appropriate at this location. The intended R-1A designation is consistent with this area's approved master plan, the Comprehensive Plan's Low Density Residential designation, and the surrounding land uses and zoning districts.</p>		
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 9 to 0 vote, recommended approval of the zone change.		<b>STAFF RECOMMENDATION:</b> Staff <u>supports</u> the proposed zone change.

## COUNCIL COMMUNICATION

### IMPACT ANALYSIS

**R-1A (Single Family Reduced Area District):** The purpose of the R-1A District is to provide for residential uses and those public uses normally considered an integral part of the residential neighborhood they serve. In addition, this district provides for the subdivision of single family residential lots with a minimum of 4500 square feet.

**Is this change contrary to the established land use pattern?**

The only established land use pattern in the area is to the west of the site, and consists of mainly single family residences.

**Would this change create an isolated zoning district unrelated to surrounding districts?**

No, there are similarly zoned areas in the vicinity.

**Will change adversely influence living conditions in the neighborhood?**

No.

**Are there substantial reasons why the property can not be used in accord with existing zoning?**

Yes, the property is zoned agriculturally which allows only a limited number of agricultural uses.

**CITY OF LAREDO ORDINANCE NO. 2004-O-064**

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING 21.88 ACRES, AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", LOCATED EAST OF HAVANNA DR., FROM AG (AGRICULTURAL DISTRICT) TO R-1A (SINGLE FAMILY REDUCED AREA DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of 21.88 acres, as further described by metes and bounds in attached Exhibit "A", located east of Havanna Dr., from AG (Agricultural District) to R-1A (Single Family Reduced Area District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on March 29, 2004, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning 21.88 acres, as further described by metes and bounds in attached Exhibit "A", located east of Havanna Dr., from AG (Agricultural District) to R-1A (Single Family Reduced Area District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

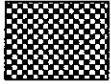
\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY

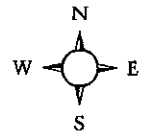
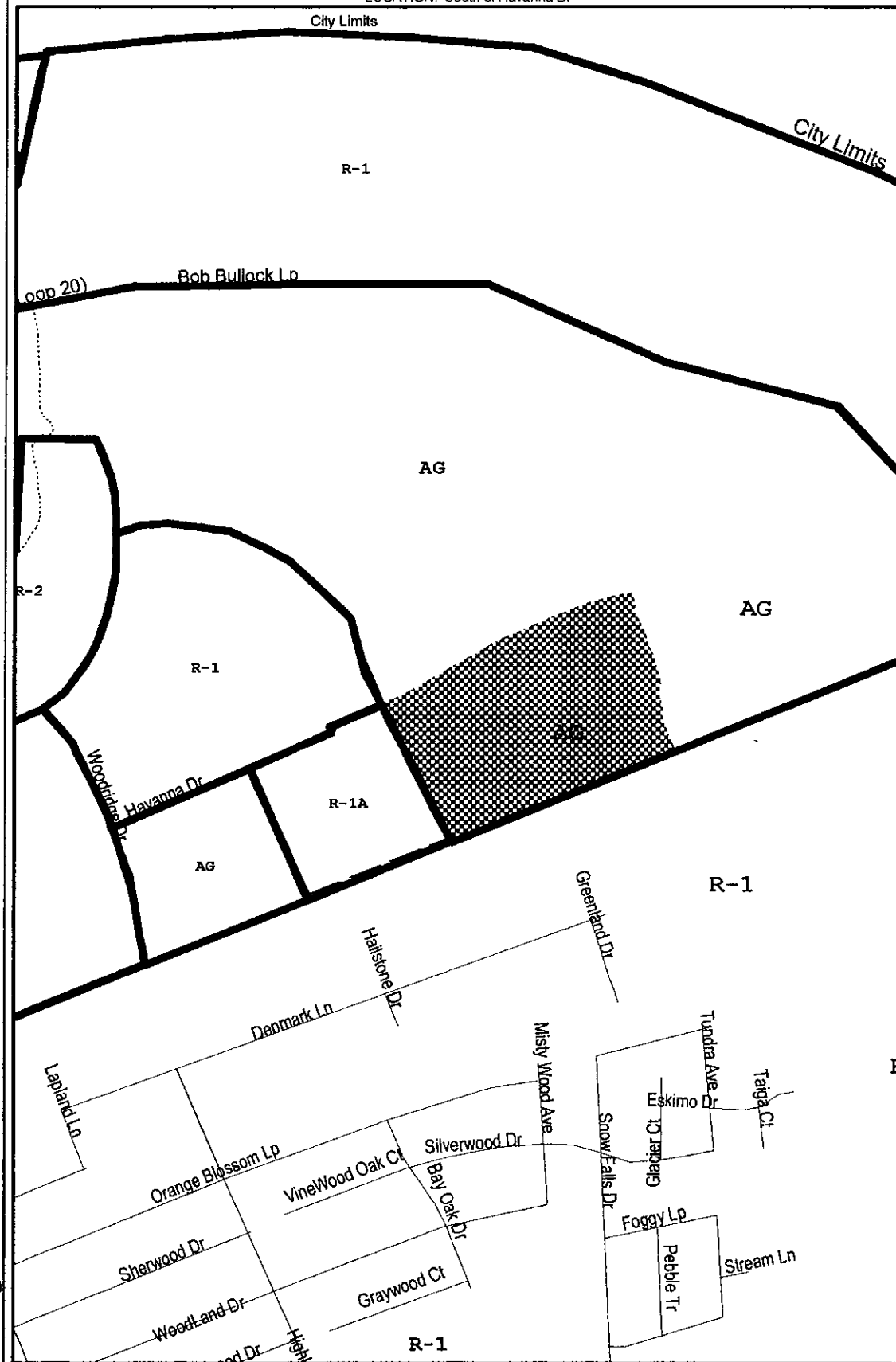
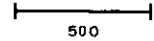


**Rezone from AG (Agricultural District)  
To R-1A (Single Family Reduced Area District)**

LOCATION: South of Havana Dr

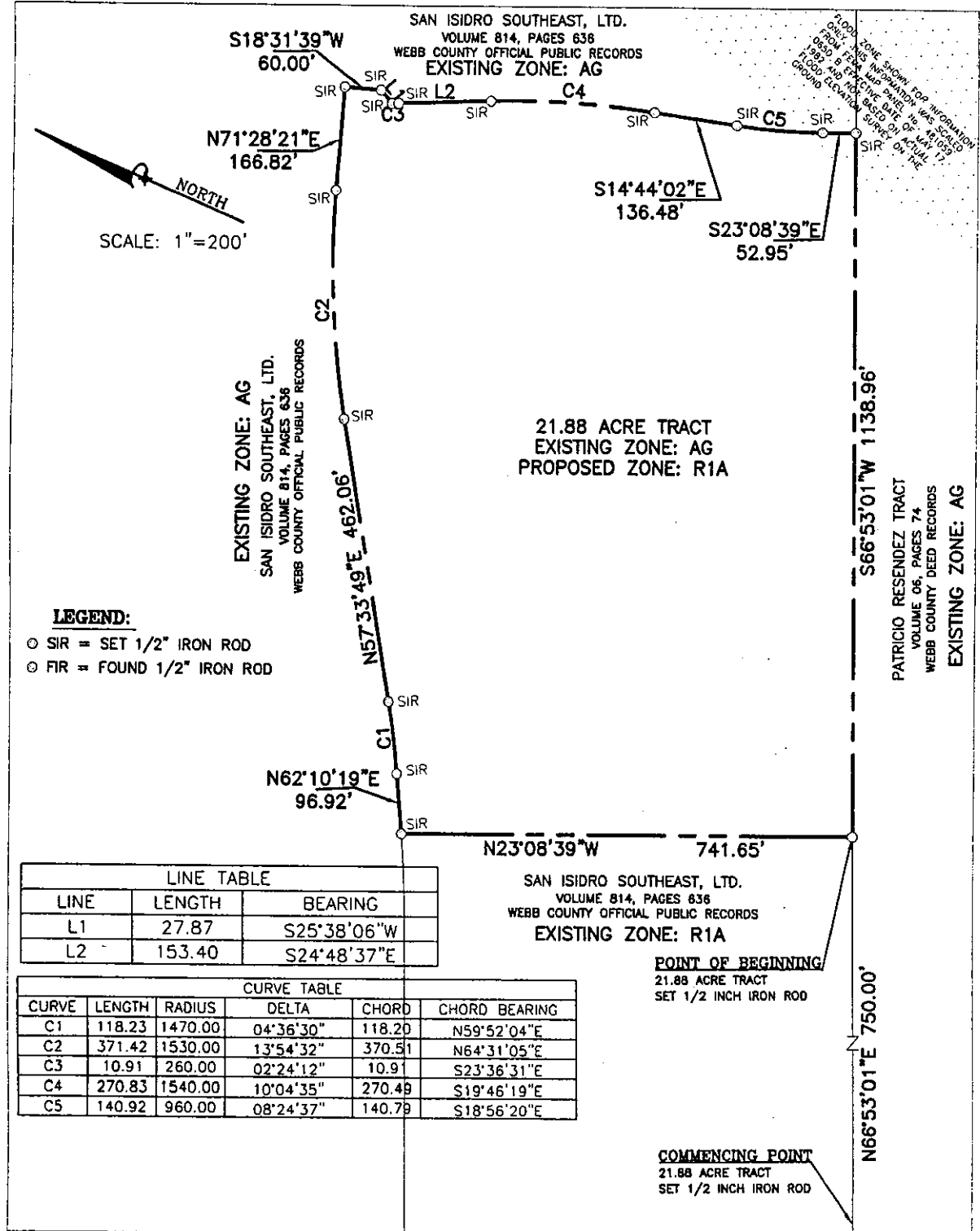
ZC - 08 - 2004

City of Laredo  
Planning Department  
**Feet**



**City of Laredo  
Zoning Map**





# CERTIFICATE OF SURVEYOR

I THE UNDERSIGNED A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS. HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, ON THE GROUND, THAT THE CORNER MONUMENT SHOWN WERE PROPERLY PLACED OR LOCATED UNDER MY SUPERVISION.

*Enrique A. Mejia*  
ENRIQUE A. MEJIA, R.P.L.S. No. 5853

2-4-04  
DATE



SUBJECT IS PARTIALLY LOCATED IN FLOOD PLAIN ACCORDING TO FIRM MAP.

COMMUNITY-PANEL NUMBER  
481059 0650 B  
MAY 17, 1982

## SKETCH SHOWING

A tract of land containing 21.88 acres, more or less, situated in Porcion 22, City of Laredo, Webb County, Texas, being out of a 2,307.1165 acre (called 2,389.5 acres) known as the San Isidro Ranch, being the same property conveyed to San Isidro Southeast, Ltd. by deed recorded in Volume 418, Page 636 of the Deed Records of Webb County.



SHERFEY  
ENGINEERING  
COMPANY, L.L.C.

104 Del Court  
Suite 400  
Laredo, Texas 78041  
(956) 791-3511

**METES AND BOUNDS DESCRIPTION**  
**21.88 Acre Tract**

A tract of land containing 21.88 acres, more or less, situated in Porcion 22, City of Laredo, Webb County, Texas, being out of a 2,307.1165 acre (called 2,389.5 acres) known as the San Isidro Ranch, being the same property conveyed to San Isidro Southeast, Ltd. by deed recorded in Volume 418, Page 636 of the Deed Records of Webb County, said 21.88 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2 inch iron rod at the southeast corner of Lot 1, Block 1 as recorded in Volume 23, Page 58, U.I.S.D. San Isidro School Plat, Webb County Map Records;

THENCE, N 66°53'01" E, along the south line of said San Isidro Southeast, Ltd. same being the north line of the Patricio Resendez Tract, as recorded in Volume 6, Page 74, Webb County Deed Records, a distance of 750.00 feet to a set 1/2 inch iron rod, the POINT OF BEGINNING, most southwesterly corner of the herein described tract;

THENCE, N 23°08'39" W, leaving the south line of said San Isidro Southeast, Ltd. a distance of 741.65 feet to a set 1/2 inch iron rod, the most westerly corner of the herein described tract;

THENCE, N 62°10'19" E, a distance of 96.92 feet to a set 1/2 inch iron rod, a point of curve to the left with a radius of 1470.00 feet, a delta of 04°36'30", a chord and chord bearing of 118.20 feet and N 59°52'04" E, an exterior corner of the herein described tract;

THENCE, along said arc to the left a distance of 118.23 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, N 57°33'49" E, a distance 462.06 feet to a set 1/2 inch iron rod, a point of curve to the right with a radius of 1,530.00 feet, a delta of 13°54'32", a chord and chord bearing of 370.51 feet and N 64°31'05" E, an exterior corner of the herein described tract;

THENCE, N 71°28'21" E, a distance of 166.82 feet to a set 1/2 inch iron rod, the northeast corner of the herein described tract;

THENCE, S 18°31'39" W, a distance of 60.00 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, S 25°38'06" W, a distance of 27.87 feet to a set 1/2 inch iron rod to a point of curve with a radius of 260.00 feet, a delta of 02°24'12", a chord and chord bearing of 10.91 feet and S 23°36'31" E, an interior corner of the herein described tract;

THENCE, along said arc a distance of 10.91 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, S 24°48'37" E, a distance of 153.40 feet to a set 1/2 inch iron rod, a point of curve to the right with a radius of 1,540.00 feet, a delta of 10°04'35", a chord and chord bearing of 270.49 feet and S 19°46'19" E, an exterior corner of the herein described tract;

THENCE, along said arc a distance of 270.83 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, S 14°44'02" E, a distance of 136.48 feet to a set 1/2 inch iron rod, a point of curve to the left with a radius of 960.00 feet, a delta of 08°24'37", a chord and chord bearing of 140.79 feet and S 18°56'20" E, an exterior corner of the herein described tract;

Exhibit "A"



THENCE, along said arc to the left a distance of 140.92 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, S 23°08'39" E, a distance of 52.95 feet to a set 1/2 inch iron rod, the southeast corner of the herein described tract;

THENCE, S 66°53'01" W, a distance of 1,138.96 feet to return to and close at the POINT OF BEGINNING, containing 21.88 acres of land.

- Basis of Bearing: Woodridge Dedication Plat, Volume 12, Page 64, Webb County Map Records.

This metes and bounds description and accompanying survey map is based on a survey made on the ground by employees of Sherfey Engineering Company who were working under my supervision.

*Enrique A. Mejia III*

Enrique A. Mejia III  
Registered Professional Land Surveyor #5653

2-4-04

Date

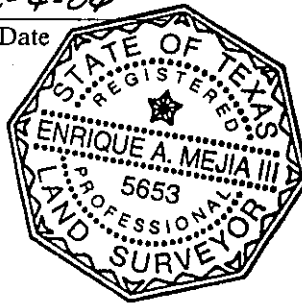
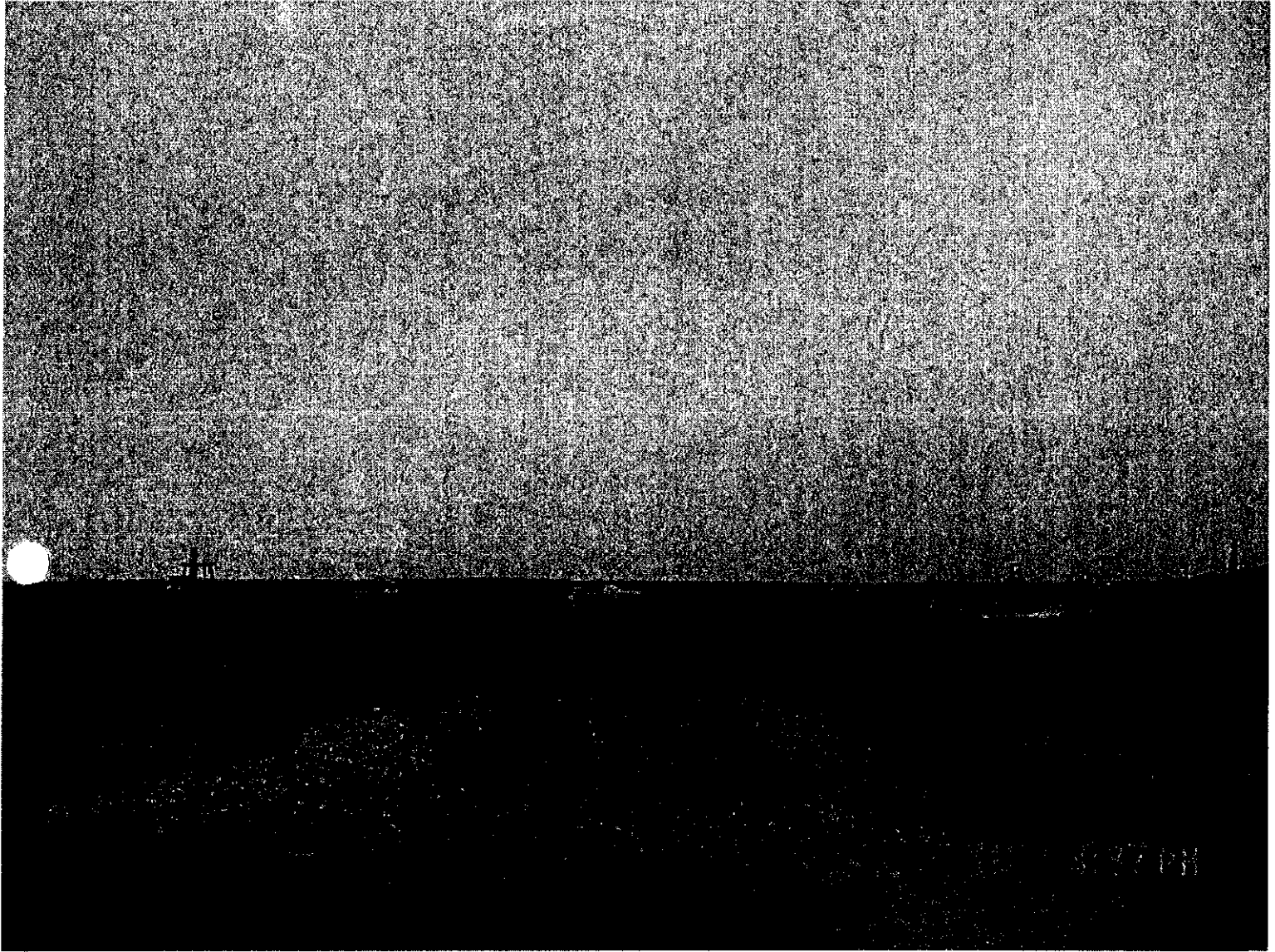


Exhibit "A"



ZC-08-04

# COUNCIL COMMUNICATION

<b>DATE:</b> 04/05/04	<b>SUBJECT:</b> FINAL READING OF ORDINANCE NO. 2004-O-065 Amending Laredo Land Development Code, Sections 24.63.2, 24.65.14 and Appendix A, by allowing, regulating and defining nationalization/"nacionalizacion" of vehicles enterprises in certain zoning districts; providing for publication and effective date. <div>LLDC(PZ)c-04d-2003</div>
<b>INITIATED BY:</b> Staff	<b>STAFF SOURCE:</b> Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager
<b>PRIOR ACTION:</b> This item was introduced by City Council at the City Council meeting of 03/29/04.	
<b>STAFF COMMENTS</b>  Staff proposes the revision of the Laredo Land Development Code, Sections 24.63.2, 24.65.14 and Appendix A, by allowing, regulating and defining nationalization/"nacionalizacion" of vehicles businesses in certain zoning districts in the following manner:  <ol style="list-style-type: none"><li>1. <u>Laredo Land Development Code, Section 24.63.2, entitled Permitted Uses</u> Nationalization/"Nacionalizacion" of Vehicles Enterprises shall be allowed in the B-4 (Highway Commercial District), M-1 (Light Manufacturing District), M-2 (Heavy Manufacturing District), and the MXD (Mixed Use Development District) districts only.</li><li>2. <u>Laredo Land Development Code, Section 24.65.14, entitled B-4 (Highway Commercial District)</u> Nationalization/"Nacionalizacion" of Vehicles Enterprises found to be in violation of the proposed ordinance shall be required to come into compliance with this ordinance one (1) year from May 1, 2004.</li><li>3. <u>Laredo Land Development Code, Appendix A, entitled Definitions</u> The following definition be added to Appendix A: Nationalization/"Nacionalizacion" of Vehicles Enterprises – shall mean a business which is involved in facilitating the necessary documentation required of owners, for the export from the United States and import to Mexico and other countries in Latin America, of vehicles, new and used; and/or a business which must comply with Title 19, Part 192 of the Code of Federal Regulations.</li></ol>	
<b>P&amp;Z COMMISSION RECOMMENDATION:</b> The P & Z Commission, in a 9 to 0 vote, recommended approval of the ordinance amendment.	<b>STAFF RECOMMENDATION:</b> Staff <u>supports</u> the proposed amendment.

**CITY OF LAREDO ORDINANCE NO. 2004-O-065**

AMENDING LAREDO LAND DEVELOPMENT CODE, SECTIONS 24.63.2, 24.65.14 AND APPENDIX A, BY ALLOWING, REGULATING AND DEFINING NATIONALIZATION/"NACIONALIZACION" OF VEHICLES ENTERPRISES IN CERTAIN ZONING DISTRICTS, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Laredo Land Development Code regulates land uses within the corporate limits of the City of Laredo; and,

WHEREAS, Laredo Land Development Code, Sections 24.63.2 or 24.65.14 do not identify or regulate nationalization/"nacionalizacion" of vehicles enterprises as allowed uses; and,

WHEREAS, Appendix A of Laredo Land Development Code, does not define nationalization of vehicles enterprises; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing held on February 19, 2004, has recommended **approval** of the ordinance; and,

WHEREAS, notice of the ordinance was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on March 29, 2004 and found the proposed ordinance appropriate and consistent with the General Plan of the City of Laredo.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Section 24.63.2 of the Laredo Land Development Code is hereby amended to read as follows:

## Section 24.63.2 Permitted Uses

Residential Districts										PERSONAL AND BUSINESS SERVICES		Non-Residential Districts								
AG	R-1	R-1A	R-1-MH	R-2	R-3	RSM	RS	R-O	USE CODE	Uses	Notes	B-1	B-1R	CBD	B-3	B-4	M-1	M-2	MXD	
									6060	Bank				X	X	X	X	X	X	
									6282	Financial Services (Advice/Invest)		X		X	X	X	X	X	X	
									6030	Savings and Loans				X	X	X	X	X	X	
									6060	Credit Unions		X		X	X	X	X	X	X	
									6099	Check Cashing Agencies		X		X	X	X	X	X	X	
									6099	Automatic Teller Machines (ATM's)		X		X	X	X	X	X	X	
									7011	Hotel/Motel				X	X	X	X		X	
								X	7011	Bed & Breakfast Hotel		X		X	X	X	X		X	
									7211	Laundry/Dry Cleaning		X		X	X	X	X	X	X	
									7212	Laundry/Dry Cleaning (Drop Off/Pick Up)		X		X	X	X	X	X	X	
									7215	Laundry/Dry Cleaning (Self-Service)		X		X	X	X	X	X	X	
									7219	Tailor Shop		X		X	X	X	X	X	X	
									7251	Shoe Repair & Sales		X		X	X	X	X	X	X	
									4724	Travel Agency		X		X	X	X	X	X	X	
									7231	Beauty Shop (Non-College)		X		X	X	X	X	X	X	
									7241	Barber Shop (Non-College)		X		X	X	X	X	X	X	
									7221	Photo Studio		X		X	X	X	X	X	X	
									7261	Funeral Home					X	X	X	X	X	
									7299	Kiosk (Providing A Service)		X			X	X	X	X	X	
										Nationalization/"Nacionalizacion" of Vehicles Enterprise	see section 24.65.14					X	X	X	X	
LEGEND:																				
X Permitted																				
S Specific Use Permit																				
Date: 10/25/95 2002-O-211/9/3/02										Land Use Charts										
Page: IV-14										City of Laredo, Texas										

Section 2: Section 24.65.14 of the Laredo Land Development Code is hereby amended to read as follows:

(17) Any nationalization/"nacionalizacion" of vehicles enterprise must be located in a B-4, M-1 M-2 or MXD district, and it is a violation of this subsection for any such enterprise to be located in other than one of those four districts; provided however, any such enterprise operating in a zoning district other than a B-4, M-1, M-2, or MXD prior to May 1, 2004, will be permitted to continue to operate for a period not to exceed one (1) year from that date.

Section 3: Appendix A of the Laredo Land Development Code is hereby amended such that the following definition is added:

Nationalization/"Nacionalizacion" of Vehicles Enterprise- shall mean a business which is involved in facilitating the necessary documentation required of owners, for the export from the United States and import to Mexico and other countries in Latin America, of vehicles, new and used; and/or a business which must comply with Title 19, Part 192 of the Code of Federal Regulations.

Section 4: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 5 This ordinance shall become effective as and from the date of publication specified in Section 4.

Section 6: Severability

If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of another portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 7: Open Meetings

The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the city hall of the City for the time required by law preceding this meeting, as required by the Open Meeting Law, Chapter 551, Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter approves and confirms such written notice and the contents and posting hereof.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME FLORES  
CITY ATTORNEY

  
\_\_\_\_\_  
BY: ANTHONY C. MCGETTRICK  
ASSISTANT CITY ATTORNEY

# COUNCIL COMMUNICATION

<b>DATE:</b>  <div style="text-align: center; margin-top: 20px;">4/5/04</div>	<b>SUBJECT: FINAL READING OF ORDINANCE NO. 2004-O-067</b> ACCEPTING A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) WHICH HAS AWARDED A \$27,350 GRANT WITH THE CITY OF LAREDO DESIGNATING \$11,722 IN MATCHING FUNDS FOR A TOTAL OF \$39,072, AND AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET FROM THE GENERAL FUND BY APPROPRIATING THE SAID GRANT REVENUE TO THE APPROPRIATE EXPENDITURE ACCOUNTS. THE GRANT MONIES WILL BE USED TO IMPLEMENT RAPID INTERVENTION TEAM KITS (RIT KITS) ALONG WITH THE PURCHASE OF TWO (2) THERMAL IMAGERS. MATCHING FUNDS ARE AVAILABLE IN THE GENERAL FUND.																																								
<b>INITIATED BY:</b> Larry Dovalina, City Manager	<b>STAFF SOURCE:</b> Luis Sosa, Fire Chief																																								
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004 City Council meeting, City Council directed staff to proceed with the acceptance of the grant.																																									
<b>BACKGROUND:</b> The Laredo Fire Department continues to be the first responders in Fire, Medical, Hazmat and now Bioterrorism calls in the Laredo and Webb County region. The specialties that the Laredo Fire Department encompasses are eight Fire Suppression, Hazardous Material Response Team, Emergency Medical Services (Medical Intensive Care Unit/Rescue), Airport Rescue Fire-Fighting, Confined Space Rescue, Swift Water Rescue, Hazmat Spill Containment, and Training Services for all specialties including an International Training Facility. Laredo Fire Department provides initial defense in homeland security for both sides of the United States/Northern Mexico border. It is the Department's intention to fund the purchase of rapid intervention team kits (RIT KITS). Specifically, there will be three (3) kits. These kits will be strategically located on engine companies to provide the greatest possible geographical coverage and be readily deployable at emergency scenes. The acquisition of these RIT KITS will greatly benefit the department and also be of significant value to the community served. The use of these RIT KITS will be a major benefit to firefighter safety, and will also be utilized in fire ground operations that require a search. The intent is to maximize efforts to protect firefighters on the fire ground. In addition, two (2) Thermal Imagers will be purchased to facilitate all rescue efforts for both civilian and firefighters at emergency situations. These kits, coupled with the thermal imagers will prove to be a critical element in achieving this level of safety.																																									
<b>FINANCIAL IMPACT:</b> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <th style="text-align: left; width: 30%;"><u>Amended Revenues:</u></th> <th style="text-align: left; width: 20%;"><u>Acct #</u></th> <th style="text-align: left; width: 15%;"><u>Budget</u></th> <th style="text-align: left; width: 15%;"><u>Incr/Decr</u></th> <th style="text-align: left; width: 20%;"><u>Amended Budget</u></th> </tr> <tr> <td>EPR/FEMA</td> <td>101-0000-321-6102</td> <td>-0-</td> <td>\$27,350</td> <td>\$27,350</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>Total</b></td> <td><b>\$27,350</b></td> <td></td> </tr> </table> <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left; width: 30%;"><u>Amended Expenditures</u></th> <th style="text-align: left; width: 20%;"><u>Acct #</u></th> <th style="text-align: left; width: 15%;"><u>Budget</u></th> <th style="text-align: left; width: 15%;"><u>Incr/Decr</u></th> <th style="text-align: left; width: 20%;"><u>Amended Budget</u></th> </tr> <tr> <td>Minor Apparatus &amp; Tools</td> <td>101-2480-522-2400</td> <td>-0-</td> <td>\$19,072</td> <td>\$19,072</td> </tr> <tr> <td>Machinery &amp; Equipment</td> <td>101-2480-525-9001</td> <td>-0-</td> <td>20,000</td> <td>20,000</td> </tr> <tr> <td>Repairs to Bldgs. &amp; Improv.</td> <td>101-2410-522-3010</td> <td>27,657</td> <td>&lt;11,722&gt;</td> <td>15,935</td> </tr> <tr> <td colspan="3" style="text-align: right;"><b>Total</b></td> <td><b>\$27,350</b></td> <td></td> </tr> </table>		<u>Amended Revenues:</u>	<u>Acct #</u>	<u>Budget</u>	<u>Incr/Decr</u>	<u>Amended Budget</u>	EPR/FEMA	101-0000-321-6102	-0-	\$27,350	\$27,350	<b>Total</b>			<b>\$27,350</b>		<u>Amended Expenditures</u>	<u>Acct #</u>	<u>Budget</u>	<u>Incr/Decr</u>	<u>Amended Budget</u>	Minor Apparatus & Tools	101-2480-522-2400	-0-	\$19,072	\$19,072	Machinery & Equipment	101-2480-525-9001	-0-	20,000	20,000	Repairs to Bldgs. & Improv.	101-2410-522-3010	27,657	<11,722>	15,935	<b>Total</b>			<b>\$27,350</b>	
<u>Amended Revenues:</u>	<u>Acct #</u>	<u>Budget</u>	<u>Incr/Decr</u>	<u>Amended Budget</u>																																					
EPR/FEMA	101-0000-321-6102	-0-	\$27,350	\$27,350																																					
<b>Total</b>			<b>\$27,350</b>																																						
<u>Amended Expenditures</u>	<u>Acct #</u>	<u>Budget</u>	<u>Incr/Decr</u>	<u>Amended Budget</u>																																					
Minor Apparatus & Tools	101-2480-522-2400	-0-	\$19,072	\$19,072																																					
Machinery & Equipment	101-2480-525-9001	-0-	20,000	20,000																																					
Repairs to Bldgs. & Improv.	101-2410-522-3010	27,657	<11,722>	15,935																																					
<b>Total</b>			<b>\$27,350</b>																																						
<b>COMMITTEE RECOMMENDATION:</b>  	<b>STAFF RECOMMENDATION:</b> That City Council approves this Final Reading as presented.																																								



ACCEPTING A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) WHICH HAS AWARDED A \$27,350 GRANT WITH THE CITY OF LAREDO DESIGNATING \$11,722 IN MATCHING FUNDS FOR A TOTAL OF \$39,072, AND AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET FROM THE GENERAL FUND BY APPROPRIATING THE SAID GRANT REVENUE TO THE APPROPRIATE EXPENDITURE ACCOUNTS. THE GRANT MONIES WILL BE USED TO IMPLEMENT RAPID INTERVENTION TEAM KITS (RIT KITS) ALONG WITH THE PURCHASE OF TWO (2) THERMAL IMAGERS. MATCHING FUNDS ARE AVAILABLE IN THE GENERAL FUND.

WHEREAS, on March 29, 2004, City Council held a public hearing and introduced this ordinance; and

WHEREAS, Laredo Fire Department continues to be the First Responders in Fire, Medical, Hazmat and Bioterrorism in the Laredo and Webb County Region,

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

The City of Laredo Fire Department FY 2003-2004 Annual Budget is amended as follows:

<u>Amended Revenues:</u>	<u>Acct #</u>	<u>Budget</u>	<u>Incr/Decr</u>	<u>Amended Budget</u>
EPR/FEMA	101-0000-321-6102	-0-	\$27,350	\$27,350
		<b>Total</b>	<b>\$27,350</b>	

<u>Amended Expenditures</u>	<u>Acct #</u>	<u>Budget</u>	<u>Incr/Decr</u>	<u>Amended Budget</u>
Minor Apparatus & Tools	101-2480-522-2400	-0-	\$19,072	\$19,072
Machinery & Equipment	101-2480-525-9001	-0-	20,000	20,000
Repairs to Bldgs. & Improv.	101-2410-522-3010	27,657	<11,722>	15,935
		<b>Total</b>	<b>\$27,350</b>	

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES,  
MAYOR

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JAIME FLORES,  
CITY ATTORNEY

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.,  
CITY SECRETARY

**COUNCIL COMMUNICATION**

<b>DATE:</b>  04/05/2004	<b>SUBJECT: FINAL READING ORDINANCE NO. 2004-O-068</b> Amending the City of Laredo the FY 2003-2004 full-time equivalent positions by increasing one (1) part-time Health Educator position from a total of .48 FTE without benefits to .50 FTE with benefits in the <i>Childhood Lead Poisoning Prevention Program</i> of the City of Laredo Health Department for the period beginning November 1, 2003, through June 30, 2004. Funding is available in the Childhood Lead Poisoning Prevention Program grant.
<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004, Council held public hearing introducing ordinance and instructed staff to proceed with final reading.	
<b>BACKGROUND:</b>  The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.  The City of Laredo Health Department has developed a <i>Childhood Lead Poisoning Prevention Program</i> to perform lead poisoning prevention activities at the community level by collaborating with local physicians and other education, social service and housing agencies that have a role in community-wide prevention efforts.  The Program will also: <ul style="list-style-type: none"><li>• Coordinate lead poisoning prevention activities with other pertinent health, housing, and environmental agencies;</li><li>• Develop and implement a primary lead poisoning prevention plan that focuses on the highest risk sources and populations;</li><li>• Analyse surveillance and other data to identify lead exposure patterns and high-risk populations;</li><li>• Ensure that necessary lead screening services are being provided to children in the identified and approved service area;</li><li>• Report blood levels to the Texas Department of Health, Bureau of Epidemiology, as required by the Health and Safety Code; and</li><li>• Ensure that medical and environmental follow-up services are provided to lead poisoned children.</li></ul> The purpose of this action is to increase one (1) part-time Health Educator position @ .48 FTE with no benefits (999 hours/yr) to .5 FTE with benefits (1040 hours/yr).	
<b>PERSONNEL ON NEXT PAGE</b>	
<b>FINANCIAL:</b> This action will constitute an increase of \$595.66 in salary expenses (not including benefits) to increase the position from .48% FTE to .50% FTE. The funds are available within the <i>Childhood Lead Poisoning Prevention Program</i> budget (226-6028) through the end of the grant period of June 30, 2004.	
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council approve ordinance.

# PERSONNEL

PERSONNEL	APPROVED	PROPOSED	PROPOSED
BUDGET 226-6028	FTEs	CHANGE	NEW FTEs
Health Educator	0.48	0.02	0.5
TOTAL	0.48	0.02	0.5

## **ORDINANCE 2004-O-068**

**AMENDING THE CITY OF LAREDO THE FY 2003-2004 FULL-TIME EQUIVALENT POSITIONS BY INCREASING ONE (1) PART-TIME HEALTH EDUCATOR POSITION FROM A TOTAL OF .48 FTE WITHOUT BENEFITS TO .50 FTE WITH BENEFITS IN THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING NOVEMBER 1, 2003, THROUGH JUNE 30, 2004. THIS POSITION IS GRANT FUNDED. FUNDING IS AVAILABLE IN THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT.**

**WHEREAS**, the Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department; and

**WHEREAS**, the City of Laredo Health Department has developed a *Childhood Lead Poisoning Prevention Program* to perform lead poisoning prevention activities at the community level by collaborating with local physicians and other education, social service and housing agencies that have a role in community-wide prevention efforts; and

**WHEREAS**, the Program will also:

- Coordinate lead poisoning prevention activities with other pertinent health, housing, and environmental agencies;
- Develop and implement a primary lead poisoning prevention plan that focuses on the highest risk sources and populations;
- Analyse surveillance and other data to identify lead exposure patterns and high-risk populations;
- Ensure that necessary lead screening services are being provided to children in the identified and approved service area;
- Report blood levels to the Texas Department of Health, Bureau of Epidemiology, as required by the Health and Safety Code; and
- Ensure that medical and environmental follow-up services are provided to lead poisoned children; and

**WHEREAS**, the purpose of this action is to increase one (1) part-time Health Educator position @ .48 FTE with no benefits (999 hours/yr) to .5 FTE with benefits (1040 hours/yr).

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is authorized to amend the FY 2003-2004 full-time equivalent positions by increasing one part-time (.48) Health Educator position @ 999 hours/yr. with no benefits to one part-time (.50) Health Educator position @ 1040 hours/yr. with benefits.

**Section 2:** The City Manager is hereby authorized to make transfers within the budget as allowable under the Special Contract Provisions and General Provisions of the contract with TDH to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

\_\_\_\_\_  
**ELIZABETH G. FLORES  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**GUSTAVO GUEVARA, JR.  
CITY SECRETARY**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**JAIME FLORES  
CITY ATTORNEY**

## COUNCIL COMMUNICATION

<b>DATE:</b>  <b>04/05/2004</b>	<b>SUBJECT: FINAL READING ORDINANCE NO. 2004-O-069</b> Authorizing the City Manager to amend the City of Laredo's FY 2003-2004 Full-Time Equivalent Positions by converting three (3) part-time with no benefits (1.44 FTE) Community Service Aides positions at 19.21 hours each per week to one (1) full-time position with benefits Community Service Aide position in the HIV Prevention Project of the City of Laredo Health Department, funded by the Texas Department of Health to provide continuous support services to the HIV Program clients and to maintain effective preventive services. Funding is available in the HIV Prevention Project grant.
<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004, Council held public hearing introducing ordinance and instructed staff to proceed with final reading.	
<b>BACKGROUND:</b> The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.  The HIV Prevention Project will conduct human immunodeficiency virus (HIV) prevention activities to ensure HIV prevention services are provided to persons at greatest risk of acquiring or transmitting HIV infection as identified through the HIV prevention community planning process. Strategies to accomplish the project's goals shall demonstrate cost-effectiveness, innovation, coordination, and collaboration.  The purpose of the HIV Prevention Project is to assist to: <ul style="list-style-type: none"><li>• Prevent the transmission of HIV or reduce the number of new HIV infections;</li><li>• Increase the number of persons who know their HIV status;</li><li>• Reduce associated morbidity and mortality among HIV-infected persons and their partners by assuring referral to medical, social, and prevention services; and</li><li>• Initiate needed HIV prevention services according to the HIV Prevention Area Action Plan (AAP) for the qualifying counties.</li></ul> The project will serve qualifying residents in the Jim Hogg, Starr, Webb and Zapata Counties  The purpose of converting three (3) part-time CSA positions to one (1) fulltime CSA position is to provide continuous support services to the HIV Program clients and to maintain effective preventive services.	
<b>PERSONNEL CHART ON NEXT PAGE</b>	
<b>FINANCIAL:</b> This action will constitute a decrease of \$6,701 in salary expenditures (not including benefits) to convert three (3) PT CSA positions to one (1) full-time CSA position. There are sufficient funds in the HIV Prevention Project budget (226-6001) to proceed with this action through the end of the grant period of December 31, 2004.	
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council approve ordinance.

PERSONNEL			
BUDGET 226-6079	FTE FROM	CHANGE	NEW FTEs
CASEWORKER	2	0	2
HEALTH ED. ASST.	1	0	1
AIDS PROGRAM COORDINATOR	0.32	0	0.32
COMMUNITY SERVICE AIDE	1.44	-0.44	1
TOTAL	4.76	-0.44	4.32

## **ORDINANCE 2004-O-069**

**AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO'S FY 2003-2004 FULL-TIME EQUIVALENT POSITIONS BY CONVERTING THREE (3) PART-TIME WITH NO BENEFITS (1.44 FTE) COMMUNITY SERVICE AIDES POSITIONS AT 19.21 HOURS EACH PER WEEK TO ONE (1) FULL-TIME POSITION WITH BENEFITS COMMUNITY SERVICE AIDE POSITION IN THE HIV PREVENTION PROJECT OF THE CITY OF LAREDO HEALTH DEPARTMENT, FUNDED BY THE TEXAS DEPARTMENT OF HEALTH TO PROVIDE CONTINUOUS SUPPORT SERVICES TO THE HIV PROGRAM CLIENTS AND TO MAINTAIN EFFECTIVE PREVENTIVE SERVICES. THESE POSITIONS ARE GRANT FUNDED. FUNDING IS AVAILABLE IN THE HIV PREVENTION PROJECT GRANT.**

**WHEREAS**, the Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

**WHEREAS**, the HIV Prevention Project will conduct human immunodeficiency virus (HIV) prevention activities to ensure HIV prevention services are provided to persons at greatest risk of acquiring or transmitting HIV infection as identified through the HIV prevention community planning process. Strategies to accomplish the project's goals shall demonstrate cost-effectiveness, innovation, coordination, and collaboration, and

**WHEREAS**, purpose of the HIV Prevention Project is to assist to:

- Prevent the transmission of HIV or reduce the number of new HIV infections;
- Increase the number of persons who know their HIV status;
- Reduce associated morbidity and mortality among HIV-infected persons and their partners by assuring referral to medical, social, and prevention services; and
- Initiate needed HIV prevention services according to the HIV Prevention Area Action Plan (AAP) for the qualifying counties.

The project will serve qualifying residents in the Jim Hogg, Starr, Webb and Zapata Counties, and

**WHEREAS**, the purpose of converting three (3) part-time CSA positions to one (1) fulltime CSA position is to provide continuous support services to the HIV Program clients and to maintain effective preventive services.



**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF LAREDO THAT:**

**Section 1:** This amendment shall authorize the City Manager to amend the City of Laredo's FY 2003-2004 Full-Time Equivalent Positions by converting three (3) part-time with no benefits (1.44 FTE) Community Service Aides positions at 19.21 hours each per week to one (1) full-time position with benefits Community Service Aide position in the HIV Prevention Project of the City of Laredo Health Department, funded by the Texas Department of Health to provide continuous support services to the HIV Program clients and to maintain effective preventive services.

**Section 2:** The City Manager is hereby authorized to make transfers within the budget as allowable under the Special Contract Provisions and General provisions of the contract with the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

\_\_\_\_\_  
**ELIZABETH G. FLORES  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**GUSTAVO GUEVARA, JR.  
CITY SECRETARY**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**JAIME FLORES  
CITY ATTORNEY**

**COUNCIL COMMUNICATION**

**DATE:** 04/05/2004

**SUBJECT: FINAL READING ORDINANCE 2004-O-070**  
 Authorizing the City Manager to amend the City of Laredo's FY 2003-2004 Full-Time Equivalent Positions by converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for HIV-Infected Persons Project (PSHIP) of the City of Laredo Health Department to provide continuous support services and to maintain effective client prevention services. Funding is available in the HIV-Infected Persons Project (PSHIP) grant.

**INITIATED BY:** Cynthia Collazo  
 Asst. City Manager

**STAFF SOURCE:** Hector F. Gonzalez, M.D., M.P.H.  
 Health Director

**PREVIOUS COUNCIL ACTION:** On March 29, 2004, Council held public hearing introducing ordinance and instructed staff to proceed with final reading.

**BACKGROUND:**

The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.

The mission of the Prevention Services for HIV-Infected Persons Project (PSHIP) is to provide effective prevention services to people who have multiple and complex needs which interfere with their ability to adopt and sustain behaviors promoting reduced risk for disease transmission. The priority target populations to be served shall be (1) young men who have sex with men (MSM), especially men of color; (2) intravenous drug users (IDUs); and (3) sex and needle sharing partners of the populations as specified above.

The PSHIP shall utilize a range of activities including interventions to initiate and maintain behavior changes to reduce the risk of transmitting the virus, and linkages to medical care and social services and support for remaining in and adhering to care.

The purpose of converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for HIV-Infected Persons Project (PSHIP) is to provide continuous support services and to maintain effective client prevention services.

PERSONNEL			
BUDGET 226-6004	FTE FROM	CHANGE	FTE TO
CASEWORKER	1	0	1
HEALTH ED. ASST.	1	0	1
AIDS PROGRAM COORDINATOR	0.15	0	0.15
COMMUNITY SERVICE AIDE	0.48	0.52	1
<b>TOTAL</b>	<b>2.63</b>	<b>0.52</b>	<b>3.15</b>

**FINANCIAL:** This action will constitute an increase of \$7,964 in salary expenditures (not including benefits) to convert one (1) PT CSA positions to one (1) full-time CSA position. There are sufficient funds in the HIV-Infected Persons Project (PSHIP) budget (226-6004) to proceed with this action through the end of the grant period of December 31, 2004.

**RECOMMENDATION:**

**STAFF:** Recommends that Council approve ordinance.

## **ORDINANCE 2004-O-070**

**AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO'S FY 2003-2004 FULL-TIME EQUIVALENT POSITIONS BY CONVERTING ONE (1) PART-TIME WITH NO BENEFITS (.48 FTE) COMMUNITY SERVICE AIDE POSITION AT 19.21 HOURS EACH PER WEEK TO ONE (1) FULL-TIME WITH BENEFITS COMMUNITY SERVICE AIDE POSITION FOR HIV-INFECTED PERSONS PROJECT (PSHIP) OF THE CITY OF LAREDO HEALTH DEPARTMENT TO PROVIDE CONTINUOUS SUPPORT SERVICES AND TO MAINTAIN EFFECTIVE CLIENT PREVENTION SERVICES. FUNDING IS AVAILABLE IN THE HIV-INFECTED PERSONS PROJECT (PSHIP) GRANT.**

**WHEREAS**, the Texas Department of Health (TDH) is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

**WHEREAS**, the mission of the Prevention Services for HIV-Infected Persons Project (PSHIP) is to provide effective prevention services to people who have multiple and complex needs which interfere with their ability to adopt and sustain behaviors promoting reduced risk for disease transmission. The priority target populations to be served shall be (1) young men who have sex with men (MSM), especially men of color; (2) intravenous drug users (IDUs); and (3) sex and needle sharing partners of the populations as specified above; and

**WHEREAS**, the PSHIP shall utilize a range of activities including interventions to initiate and maintain behavior changes to reduce the risk of transmitting the virus, and linkages to medical care and social services and support for remaining in and adhering to care; and

**WHEREAS**, the purpose of converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for HIV-Infected Persons Project (PSHIP) is to provide continuous support services and to maintain effective client prevention services.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to amend the City of Laredo's Full-Time Equivalent Positions by converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for

HIV-Infected Persons Project (PSHIP) of the City of Laredo Health Department to provide continuous support services and to maintain effective client prevention services.

**Section 2:** The City Manager is hereby authorized to make transfers within the budget as allowable under the Special Contract Provisions and General provisions of the contract with the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

\_\_\_\_\_  
**ELIZABETH G. FLORES  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**GUSTAVO GUEVARA, JR.  
CITY SECRETARY**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**JAIME FLORES  
CITY ATTORNEY**

**COUNCIL COMMUNICATION**

<b>DATE:</b>  04/05/2004	<b>SUBJECT: FINAL READING ORDINANCE NO. 2004-O-071</b> Authorizing the City Manager to amend the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures by \$10,000 which represents a contribution from the Mercy Health Plans for children's health insurance outreach activities of the City of Laredo Health Department for the period beginning May 1, 2004, through September 30, 2004.
--------------------------------	---

<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director
---	---

**PREVIOUS COUNCIL ACTION:** On March 29, 2004, Council held public hearing introducing ordinance and instructed staff to proceed with final reading.

**BACKGROUND:**

The Mercy Health Plans has generously contributed \$10,000 to provide children's health insurance outreach activities and enrollment assistance that will reach families for uninsured children in ways that are culturally competent and locally appropriate, and provide application assistance to families of uninsured children applying for health insurance. The target counties include Jim Hogg, Webb and Zapata.

**BUDGET**

CATERGORIES		CURRENT BUDGET
MHP REVENUES	\$	10,000
PROGRAM INCOME		0
TOTAL REVENUES	\$	10,000
EXPENSES		
PERSONNEL	\$	0
FRINGE BENEFITS		0
TRAVEL		0
EQUIPMENT		0
SUPPLIES		400
CONTRACTUAL		0
OTHER		9,600
TOTAL DIRECT COSTS	\$	10,000
INDIRECT		0
TOTAL	\$	10,000

**FINANCIAL:** The City of Laredo will receive \$10,000 from the Mercy Health Plans for children's health insurance outreach activities of the City of Laredo Health Department for the period beginning May 1, 2004, through September 30, 2004. The revenue line item for this project is 226-0000-372-1000 and the expenditure account is 226-6402.

**RECOMMENDATIONS:**

**STAFF:** Recommends that Council approve ordinance.

**ORDINANCE 2004-O-071**

**AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY INCREASING REVENUES AND EXPENDITURES BY \$10,000 WHICH REPRESENTS A CONTRIBUTION FROM THE MERCY HEALTH PLANS FOR CHILDREN'S HEALTH INSURANCE OUTREACH ACTIVITIES OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING MAY 1, 2004, THROUGH SEPTEMBER 30, 2004.**

**WHEREAS,** the Mercy Health Plans has generously contributed \$10,000 to provide children's health insurance outreach activities and enrollment assistance that will reach families for uninsured children in ways that are culturally competent and locally appropriate, and provide application assistance to families of uninsured children applying for health insurance, and

**WHEREAS,** the target counties include Jim Hogg, Webb and Zapata.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to accept the contribution of \$10,000 for children's health insurance outreach activities and enrollment assistance.

**Section 2:** Revenue line item 226-0000-372-1000 funded by the Mercy Health Plans is hereby increased from \$0 to \$10,000.

**Section 3:** Expenditure line item 226-6402 is hereby increased from \$0 to \$10,000.

**Section 4:** The City Manager is hereby authorized to make transfers within the budget to meet the necessary costs to accomplish the scope of work.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

**ELIZABETH G. FLORES**  
**MAYOR**

**ATTEST:**

**GUSTAVO GUEVARA, JR.**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**



**JAIME FLORES**  
**CITY ATTORNEY**

**COUNCIL COMMUNICATION**

<b>DATE:</b>  <b>04/05/2004</b>	<b>SUBJECT: FINAL READING ORDINANCE NO. 2004-O-072</b> Amending the City of Laredo FY 2003-2004 annual budget by decreasing revenues and expenditures in the amount of \$33,644 to reflect the actual grant amount of \$332,590 from the South Texas Development Council for the HIV/AIDS Ryan White Title II Services Program of the City of Laredo Health Department for the period of April 1, 2004, through March 31, 2005.
<b>INITIATED BY:</b> Cynthia Collazo Asst. City Manager	<b>STAFF SOURCE:</b> Hector F. Gonzalez, M.D., M.P.H. Health Director
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004, Council held public hearing introducing ordinance and instructed staff to proceed with final reading.	
<b>BACKGROUND:</b>  The South Texas Development Council has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.  The City of Laredo Health Department administers the HIV/AIDS Ryan White Title II Services Program whose purpose is to plan, develop and deliver comprehensive outpatient health and support services to meet the identified needs of individuals and families with AIDS or HIV disease in the Health Service Delivery Area (HSDA): Jim Hogg, Starr, Zapata, and Webb Counties.  Services to be provided may include, but are not limited to:  1. Ambulatory/outpatient medical care; case management; dental care; home health care; para-professional care; professional care; specialized care; durable medical equipment; hospice care, home-based and residential; medications; mental health therapy/counseling; nutritional services; rehabilitation care; substance abuse treatment/counseling; and  2. Support services; adoption/foster care assistance; buddy/companion services; client advocacy; counseling; day and respite care; food bank/home delivered meals; housing assistance/housing related services; transportation; other support services; and  3. Insurance assistance; assistance is provided to eligible individuals with HIV disease in order to maintain continuity of health/dental insurance; or receive medical benefits under a health/dental insurance program. Insurance assistance funds may be used for payment of insurance premiums, deductibles, co-insurance payments, and related administrative costs.  <b>BUDGET AND PERSONNEL ON NEXT PAGE</b>	
<b>FINANCIAL:</b> The City of Laredo will receive \$332,590 for HIV/AIDS Ryan White Title II Services Program for the period beginning April 1, 2004, through March 31, 2005. This amount signifies a decrease of \$33,644 from the current appropriation. The revenue account number for this grant is 226-0000-323-4051 and the expenditure account is 226-6006.	
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Recommends that Council approve ordinance.



## BUDGET

CATERGORIES	APPROVED BUDGET		CHANGE		NEW BUDGET	
REVENUES						
STDC REVENUES	\$	366,234	\$	-33,644	\$	332,590
PROGRAM INCOME		0		0		0
TOTAL REVENUES	\$	366,234		-33,644	\$	332,590
EXPENSES						
PERSONNEL	\$	87,066	\$	2,952	\$	90,018
FRINGE BENEFITS		29,606		652		30,258
TRAVEL		2,000		1,169		3,169
EQUIPMENT		0		974		974
SUPPLIES		7,771		-5,404		2,367
CONTRACTUAL		237,791		-60,132		177,659
OTHER		0		27,245		27,245
TOTAL DIRECT CHGS	\$	364,234	\$	-32,544	\$	331,690
INDIRECT CHGS.		0		900		900
TOTAL DIRECT CHGS		364,234		-31,644		332,590
PROGRAM INCOME		2,000		-2,000		0
TOTAL	\$	366,234	\$	-33,644	\$	332,590

## PERSONNEL

PERSONNEL			
POSITION DESCRIPTION	# OF FTES	CHANGE	NEW FTES
Pharmacy Technician	0.1	0	0.1
Caseworker	1.65	0	1.65
Clerk II	1	0	1
AIDS Program Coordinator	0.32	0	0.32
TOTAL	3.07		3.07

## **ORDINANCE 2004-O-072**

**AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY DECREASING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$33,644 TO REFLECT THE ACTUAL GRANT AMOUNT OF \$332,590 FROM THE SOUTH TEXAS DEVELOPMENT COUNCIL FOR THE HIV/AIDS RYAN WHITE TITLE II SERVICES PROGRAM OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD OF APRIL 1, 2004, THROUGH MARCH 31, 2005.**

**WHEREAS**, the South Texas Development Council (STDC) is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

**WHEREAS**, the HIV Ryan White Care Title II Services Program serves to plan, develop and deliver comprehensive outpatient health and support services to meet the identified needs of individuals and families with AIDS or HIV disease in the Health Service Delivery Area: Jim Hogg, Starr, Zapata, and Webb Counties, and

**WHEREAS**, services to be provided may include, but are not limited to:

1. Ambulatory/outpatient medical care; case management; dental care; home health care; para-professional care; professional care; specialized care; durable medical equipment; hospice care, home-based and residential; medications; mental health therapy/counseling; nutritional services; rehabilitation care; substance abuse treatment/counseling; and
2. Support services; adoption/foster care assistance; buddy/companion services; client advocacy; counseling; day and respite care; food bank/home delivered meals; housing assistance/housing related services; transportation; other support services, and
3. Insurance assistance; assistance is provided to eligible individuals with HIV disease in order to maintain continuity of health/dental insurance; or receive medical benefits under a health/dental insurance program. Insurance assistance funds may be used for payment of insurance premiums, deductibles, co-insurance payments, and related administrative costs.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** The City Manager is hereby authorized to execute the contract and accept the grants and their provisions as set forth by the South Texas Development Council.

**Section 2:** The City of Laredo accepts funds in the amount of \$332,590 in funds for the HIV Ryan White Title II Services Program of the City of Laredo Health Department. This is a decrease of \$33,644 from the actual budget.

**Section 3:** Revenue line item 226-0000-323-4051 funded by the South Texas Development Council is decreased from \$366,264 to \$332,590.

**Section 4:** Expenditure line item 226-6006 is decreased from \$366,264 to \$332,590.

**Section 5:** The City Manager is hereby authorized to make transfers within the budget as allowable under the General Provisions as set forth by the South Texas Development Council to meet the necessary costs to accomplish the scope of work for the project.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR**

**ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

\_\_\_\_\_  
**ELIZABETH G. FLORES**  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**GUSTAVO GUEVARA, JR.**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**JAIME FLORES**  
**CITY ATTORNEY**

## COUNCIL COMMUNICATION

<b>DATE:</b>  04/ 05 /2004	<b>SUBJECT: FINAL READING # 2004-0-073</b>  Authorizing the City Manager to enter into an agreement with the Federal Bureau of Investigation in the amount of \$10,000 and amend the FY 2003-2004 City of Laredo Budget by \$10,000. The agreement's purpose is to reimburse cost for overtime and fringe benefits incurred by the Laredo Police Department in providing resources of OCDETF (Organized Crime Drug Enforcement Task Forces). The term of this agreement is from October 1, 2003 through September 30, 2004.																				
<b>INITIATED BY:</b> Cynthia Collazo, Assistant City Manager	<b>STAFF SOURCE:</b> Agustin Dovalina, III, Chief of Police																				
<b>PREVIOUS COUNCIL ACTION</b>  City Council passed the Public Hearing / Introductory Ordinance on March 29,2004.																					
<b>BACKGROUND:</b>  Pursuant to Public Law #108-7 for Fiscal Year 2004, the FBI has been authorized to pay to pay overtime for the police officers assigned to the formalized South Texas Drug Related Public Corruption Task Force as set forth for expenses necessary for detection, investigation, and prosecution of crimes against the United States of America. The OCDETF provides financial resources to state and local law enforcement agencies that target high level drug trafficking / criminal organizations.																					
<b>FINANCIAL SECTION:</b>																					
Revenues:	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"></th> <th style="width: 15%; text-align: center;">Original Budget</th> <th style="width: 15%; text-align: center;">Proposed Budget</th> <th style="width: 20%; text-align: center;">Budget Amendment</th> </tr> </thead> <tbody> <tr> <td>Federal Bureau of Investigation Account # 229-0000-373-2047</td> <td style="text-align: center;">\$ 0</td> <td style="text-align: center;">\$10,000</td> <td style="text-align: center;">\$10,000</td> </tr> </tbody> </table>		Original Budget	Proposed Budget	Budget Amendment	Federal Bureau of Investigation Account # 229-0000-373-2047	\$ 0	\$10,000	\$10,000												
	Original Budget	Proposed Budget	Budget Amendment																		
Federal Bureau of Investigation Account # 229-0000-373-2047	\$ 0	\$10,000	\$10,000																		
Expenses:	<table style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 50%;">Account # 229-2342-521-1120</td> <td style="width: 15%; text-align: center;">\$ 0</td> <td style="width: 15%; text-align: center;">\$ 7,504</td> <td style="width: 20%; text-align: center;">\$ 7,504</td> </tr> <tr> <td>Account # 229-2342-521-1210</td> <td style="text-align: center;">\$ 0</td> <td style="text-align: center;">\$ 752</td> <td style="text-align: center;">\$ 752</td> </tr> <tr> <td>Account # 229-2342-521-1221</td> <td style="text-align: center;">\$ 0</td> <td style="text-align: center;">\$ 35</td> <td style="text-align: center;">\$ 35</td> </tr> <tr> <td>Account # 229-2342-521-1240</td> <td style="text-align: center;">\$ 0</td> <td style="text-align: center;">\$ 497</td> <td style="text-align: center;">\$ 497</td> </tr> <tr> <td>Account # 229-2342-521-1250</td> <td style="text-align: center;">\$ 0</td> <td style="text-align: center;">\$ 1,212</td> <td style="text-align: center;">\$ 1,212</td> </tr> </tbody> </table>	Account # 229-2342-521-1120	\$ 0	\$ 7,504	\$ 7,504	Account # 229-2342-521-1210	\$ 0	\$ 752	\$ 752	Account # 229-2342-521-1221	\$ 0	\$ 35	\$ 35	Account # 229-2342-521-1240	\$ 0	\$ 497	\$ 497	Account # 229-2342-521-1250	\$ 0	\$ 1,212	\$ 1,212
Account # 229-2342-521-1120	\$ 0	\$ 7,504	\$ 7,504																		
Account # 229-2342-521-1210	\$ 0	\$ 752	\$ 752																		
Account # 229-2342-521-1221	\$ 0	\$ 35	\$ 35																		
Account # 229-2342-521-1240	\$ 0	\$ 497	\$ 497																		
Account # 229-2342-521-1250	\$ 0	\$ 1,212	\$ 1,212																		
<b>RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> Recommends that Council approve this Ordinance.																				

**ORDINANCE # 2004- O- 073**

**Authorizing the City Manager to enter into an agreement with the Federal Bureau of Investigation in the amount of \$10,000 and amend the FY 2003-2004 City of Laredo Budget by \$10,000. The agreement's purpose is to reimburse cost for overtime and fringe benefits incurred by the by the Laredo Police Department in providing resources of OCDEF (Organized Crime Drug Enforcement Task Forces). The term of this agreement is from October 1, 2003 through September 30, 2004.**

**Whereas**, an agreement with the Federal Bureau of Investigations will reimburse the City of Laredo in the amount of \$10,000 for the over time work by its police officers in joint operational task forces; and

**Whereas**, the Chief of Police recommends that the City Council authorize the approval of this overtime agreement; and

**Whereas**, the City Council finds that such a budget amendment should be made and beneficial to the City; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

Section 1: the City Manager is hereby authorized to enter into an overtime agreement with the Federal Bureau of Investigation.

Section 2: The term of this agreement is from October 1, 2003 through September 30, 2004.

Section 3: The City of Laredo's FY 2003-2004 annual budget is hereby amended in the amount of \$10,000 for reimbursable overtime costs.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JAI ME FLORES  
CITY ATTORNEY

## COUNCIL COMMUNICATION

<b>DATE:</b> 03/29/04	<b>SUBJECT: FINAL READING OF ORDINANCE 2004-O-074</b> Amending Chapter 14 (Garbage, Trash & Refuse) of the Code of Ordinances, specifically to update the ordinance to address the Solid Waste Director, add and refine definitions and services, to change the Landfill City Vehicle Rate Fee to \$1.25, add a commercial exemption administrative fee of \$2.50, to add a credit account late fee of \$100.00 and to revise franchise requirements.	
<b>INITIATED BY:</b> Larry Dovalina City Manager		<b>STAFF SOURCE:</b> Oscar J. Medina Solid Waste Director
<b>PREVIOUS COUNCIL ACTION:</b> On September 11, 1995 the City Council amended Chapter 14 of the Code of Ordinance to provide a revised schedule of Garbage and Landfill fees. On March 29, 2004 City Council instructed staff to proceed with Final Reading.		
<b>BACKGROUND:</b>  The Solid Waste Department was created in January of 2003 and the TNRCC was changed to Texas Commission on Environmental Quality last year. This has required that we update our ordinance to reference the new departments.  Commercial establishments who contract a franchised hauler are exempt from a garbage fee but must be monitored. The Solid Waste Department is recommending a \$2.50 administrative fee for monitoring all commercial exempt accounts for compliance with the exemption.  If payment in full on landfill credit accounts is not made within 60 days of the due date, the customer will be charged a \$100.00 late fee.  Franchise holders must agree to use only the city municipal solid waste facilities for disposal or processing municipal solid waste and industrial solid waste as required in their franchise agreement.  Municipal waste definitions and services are being updated and terms are being clarified in the definitions and other sections of the ordinance.		
<b>FINANCIAL IMPACT:</b> The City Vehicle Rate Fee change from 13.50 to \$1.25 reduced revenues to the Landfill fund by approximately \$500,000. The commercial exemption administrative fee of \$2.50 will increase Garbage Fee Revenues by approximately \$100,000. The credit account late fee of \$100.00 will increase revenues in the Landfill Fund by approximately \$3,600.00.		
<b>COMMITTEE RECOMMENDATION:</b> None		<b>STAFF RECOMMENDATION:</b> Approval

ORDINANCE NO. 2004-O-074

AMENDING CHAPTER 14 (GARBAGE, TRASH & REFUSE) OF THE CODE OF ORDINANCES, SPECIFICALLY TO ADDRESS THE SOLID WASTE DIRECTOR, ADD AND REFINER DEFINITIONS AND SERVICES, TO CHANGE THE LANDFILL CITY VEHICLE RATE FEE TO \$1.25, ADD A COMMERCIAL EXEMPTION ADMINISTRATIVE FEE OF \$2.50, TO ADD A CREDIT ACCOUNT LATE FEE OF \$100.00, AND TO REVISE FRANCHISE REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, In January 2003 the City of Laredo City Council approved the creation of the Solid Waste Department and the position of Solid Waste Director; and

WHEREAS, The city vehicles taking garbage to the landfill will be charged only for State fees being paid by the landfill to the State; and

WHEREAS, It has been determined that all exempt commercial accounts need to be monitored for proper garbage fee charges; and

WHEREAS, Franchise requirements have been reviewed and found in need of revision; and

WHEREAS, The current ordinance is in need of revision to better clarify solid waste services; and WHEREAS, Revisions to this ordinance will improve customer service.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

SECTION 1: ~~Amending~~ Chapter 14 (Garbage Trash & Refuse) of the Code of Ordinances, is hereby amended to update the ordinance, to address the Solid Waste Director, add and refine definitions and services, to change the landfill city vehicle rate fee to \$1.25, add a commercial exemption administrative fee of \$2.50, to add a credit account late fee of \$100.00, and to revise franchise requirements, to be further amended as follows:

**Chapter 14** GARBAGE, TRASH AND REFUSE

**ARTICLE I.** IN GENERAL

**Sec. 14-1.** Definitions.

As used in this chapter:

*City health officer* shall mean the city health officer of the city, or his authorized agent.

*Commission* means the Texas Commission on Environmental Quality and its successor agencies.

*Current utility bill:* A current utility bill is a bill issued by the City's Water Utility Business Office that includes a charge for curbside collection of garbage, which is not more than sixty(60) days old.

*Debris* - Large waste materials, such as ashes, roofing materials, dirt, automobile frames, tires, or other bulky heavy materials.

*Director of Solid Waste* shall mean the Director of Solid Waste of the City of Laredo, or a designated representative.



Dumpster: A container which holds more than one (1) cubic yard, used to store solid waste until it is collected for disposal. The term also includes roll-on/roll-off containers that are used to transport solid waste on a vehicle chassis.

Garbage shall mean all putrescible wastes, except sewage and body wastes, including all meat, vegetable and fruit refuse, and carcasses of small dead animals and dead fowl from any premises within the city limits.

Health Director shall mean the Health Director of the City of Laredo or a designated representative.

Heavy Brush: Tree and shrub limbs and trimmings, which are greater than three (3) inches in diameter and more than five (5) feet in length, tree trunks, root balls, and other large plants.

Industrial Solid Waste means solid waste resulting from or incidental to a process of industry or manufacturing, or mining or agricultural operations.

Institutional facility shall mean facilities with high density areas populations (i.e., hotels, motels, inns, rooming houses, boarding houses, jails, or schools whether private, public or quasi-public).

Medical Waste: Waste generated by health-care related facilities and associated health-care activities, including veterinary services.

Multi-family dwelling means any building or structure or portion thereof, which contains three (3) or more dwelling units and, for the purpose of this code, includes residential condominiums.

Municipal Solid Waste means solid waste resulting from or incidental to municipal, community, commercial, institutional, or recreational activities, and includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and other solid waste other than industrial waste.

Municipal Solid Waste Facility - All contiguous land, structures, other appurtenances, and improvements on the land used for processing, storing, or disposing of solid waste. The facility must be publicly owned and may consist of several processing, storage, or disposal units.

Owner means any person having or claiming to have any legal or equitable ownership interest in the property.

Premises shall be taken to mean business houses, boarding houses, offices, theaters, hotels, restaurants, cafes, eating houses, tourist camps, apartments, sanitariums, rooming houses, schools, private residences, vacant lots and other places within the city limits where refuse, either garbage or rubbish, accumulates.

Private property is that which is acquired or held for the special benefit of individual control, that which is owned by an individual or individuals, family estate or a corporation.

Public property is that which is governmental where it is for the use and benefit of the general public.

Public ways shall mean all alleys, sidewalks, streets and highways.

Refuse shall be interpreted to mean all solid wastes, including garbage and rubbish.

Rubbish shall mean ~~tin cans, bottles, papers, tree limbs (which shall be cut into lengths not exceeding six (6) feet, papers, etc., from any premises within the city limits)~~ nonputrescible solid waste, excluding ashes, that consists of:

- a.) Combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; or
- b.) Noncombustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that do not burn at ordinary incinerator temperatures (sixteen hundred (1600) degrees Fahrenheit to eighteen hundred (1800) degrees Fahrenheit).
- c.) Construction-demolition waste resulting from construction or demolition projects including, but not limited to, brick, concrete, concrete rubble, gypsum board, lumber, sheetrock, roofing materials, fixtures (such as bath tubs, shower stalls, sinks, and toilets,) and remodeling debris (such as cabinets, ceramic tile, Formica, and similar items).

Solid Waste: Garbage, rubbish, yard waste, heavy brush, debris, and construction-demolition materials.

Special Waste: any solid waste or combination of solid wastes that because of its quantity, concentration, physical, or chemical characteristics, or biological properties requires special handling and disposal to protect the human health or environment and as further defined in 30 TAC 330-Municipal Solid Waste Regulations.

Transfer Station - A fixed facility used for transferring solid waste from collection vehicles to long haul vehicles.

Vehicle shall mean any type cart, wagon, trailer, automobile or track, propelled in any manner.

Yard Waste: Grass clippings, weeds, leaves, mulch, small trees and shrub limbs, which are three (3) inches or less in diameter and five (5) feet in length or less, that results from landscaping maintenance. The term does not include stumps, roots, or shrubs with intact root balls.

**Sec. 14-2, Garbage and rubbish--Accumulation.**

(a) It shall be the duty of every person owning, managing, operating, leasing or renting any premises, or any place where garbage or rubbish accumulates, to provide, and at all times; to maintain in good order and repair on any such premises, a portable container or containers for refuse, which shall be made of galvanized metal or similar material not easily corrodible, rodent and fly proof, with a tight-fitting lid which shall not be removed except when depositing or removing the contents of the receptacle, and with handles on the sides, and of sufficient capacity and in sufficient numbers to accommodate and securely keep all the garbage and rubbish that may accumulate between collections; provided that, each such container shall have the capacity of not less than twenty (20) gallons nor more than thirty-two (32) gallons; provided, further, all containers shall be kept

clean and free from accumulation of any substance remaining attached to inside of container which would attract or breed flies, mosquitoes or any other insects.

(b) It shall be the duty of every person owning, managing, operating, leasing or renting any premises to place the daily accumulations of garbage and rubbish in the container or containers and to eliminate as much ~~far~~ as possible all water and liquid. It shall be the duty of every person placing garbage, which is subject to decomposition, in any such containers required in paragraph (a) of this section and it from such garbage and to securely wrap garbage in paper or other suitable material before placing the same in such containers. Uncooked animal parts that may putrefy (such as fish heads, entrails, or animal carcasses) must be kept cool and not placed in a refuse container until the night before the scheduled collection date.

(c) Glass, broken concrete, brick, plaster, dirt, sand, gravel, ashes, tires, roofing materials, automobile frames, lumber resulting from either residential or commercial construction or demolition, or other heavy nonputrescible materials shall not be stored placed in the containers required in paragraph (a) of this section will not be collected by the Solid Waste Department. The owner or person controlling an accumulation of glass, broken concrete, brick, plaster, dirt, sand, gravel, ashes, tires, roofing materials, automobile frames, lumber resulting from either residential or commercial construction or demolition, or other heavy nonputrescible materials shall collect and store the solid waste in commercial waste receptacles, such as a dumpster, or dispose of the solid waste within one week of the time the waste is generated at the owner's or person's expense.

(d) All ordinary accumulations of rubbish such as tree limbs, paper boxes, and scrap lumber which cannot be conveniently placed in the containers required under this section shall be gathered together and baled, tied, or sacked in compact bundles and placed in a location easily accessible for the collector. Only piles no larger than two and a half (2 ½) feet high, by four (4) feet wide, by five (5) feet long shall be collected. A reasonable amount of material such as scrap lumber and fire wood may be stored on the premises but it shall be racked and stacked eighteen (18) inches above the ground.

(e) In order to protect the safety of solid waste employees, filled refuse containers that are emptied manually may not weigh more than forty (40) pounds.

(f) Filled paper or plastic bags may not weigh more than thirty (30) pounds.

(g) The contents of a refuse container may not protrude above the top of the container and inhibit placement of the lid or have a potential of causing injury to the collector or customer.

(h) Uncovered receptacles that contain rain water will not be picked up.

(i) Loose and scattered waste that is not properly set out for collection as specified in this chapter will not be collected.

(j) Recyclables shall be placed in the recycling blue bags available from the Solid Waste Department clearly identified with the recycling information printed

on the bag. Recycling bags shall be separated from other solid waste, which is set out for collection by at least five (5) feet. Recycling bags which are set out for collection but are filled with regular garbage, yard clippings, or other non-recyclable material, will not be picked up.

**Sec. 14-3. Same---Collection.**

(a) The city shall have as its minimum objective the collection from the Residential areas of the city not less than twice weekly and from the business area of the city each business day except Sunday, all garbage and rubbish, provided, ~~It shall be the duty of any person in possession or control of any premises to place the containers required in Sections 14-2 and 14-3 of this chapter in a location easily accessible for the collector as directed by the eCity hHealth Director eOfficer or the Director of Solid Waste.~~

(b) (1) Places of excessive accumulations of garbage and rubbish, such as, but not limited to, killing and dressing plants for fowl and animals, restaurants, meat markets, grocery stores, cafeterias, and other similar commercial food establishments may be excluded from service provided by the ~~eCity garbage Solid Waste dDepartment~~ and such accumulations shall then be removed and disposed of at the expense of the owner or person having care, custody and control of the same; provided that the owner or person responsible for and having care, custody and control of such accumulations shall remove and dispose of such accumulations of garbage and rubbish not less than three (3) times per week by their own lawful action or by the lawful acts of private ~~garbage and rubbish~~ franchised haulers, approved by the ~~dDirector of the eCity health Solid Waste dDepartment~~. In cases involving larger volumes of garbage, rubbish and refuse, the ~~dDirector of the eCity hHealth Director dDepartment~~ may require, upon written notice to an owner or person in charge, more frequent removal and disposal of such accumulations per week. All vehicles used by such private garbage and rubbish haulers shall be provided with equipment to prevent garbage and/or rubbish from blowing out of, falling from or otherwise escaping from such vehicle. Such private garbage and rubbish haulers shall comply with all applicable ordinances of the city and rules and regulations established by the ~~dDirector of the eCity hHealth Director dDepartment~~. The ~~dDirector of the eCity hHealth Director dDepartment~~ may grant a variance on the frequency of removal of garbage in cases where the volume, days of operation, type of container and type of garbage produced merits removal less than three (3) times per week.

(2) Accumulations of garbage and rubbish from hotels, apartments, condominiums and other similar places may be excluded from the service provided by the ~~eCity garbage Solid Waste dDepartment~~; and such accumulations shall then be removed and disposed of at the expense of the owner or person having care, custody and control of the same; provided that the owner or person responsible for having care, custody and control of such accumulations shall remove and dispose of such accumulations of garbage and rubbish not less than twice (2) per week by their own lawful action or by the lawful acts of private franchised garbage and rubbish haulers, approved by the ~~dDirector of the eCity health Solid Waste dDepartment~~. In cases involving larger volumes of garbage, rubbish and refuse,

the ~~dDirector of the eCity hHealth Director dDepartment~~ may require, upon written notice to an owner or person in charge, more frequent removal and disposal of such accumulations per week. All vehicles used by such private franchised garbage and rubbish haulers shall be provided with equipment to prevent garbage and/or rubbish from blowing out of, falling from or otherwise escaping from such vehicle. Such private franchised garbage and rubbish haulers shall comply with all applicable ordinances of the city and rules and regulations established by the ~~director of the eCity hHealth~~ and Solid Waste dDepartments.

(3) The condition of the containers utilized to store and/or remove accumulations of garbage and rubbish shall be the responsibility of the container's owner.

(4) The owner or person having care, custody or control of the premises shall be responsible for keeping containers securely closed at all times.

(5) ~~No container over thirty-two (32) gallons used for storage and removal of accumulations of garbage from other than placed in the containers required under this section shall be gathered together and baled, tied, or sacked in compact bundles and placed in a location easily accessible for the collector. A reasonable amount of material such as scrap lumber and fire wood may be stored on the premises but it shall be racked and stacked eighteen (18) inches above the ground. Any dumpster used for storage and removal of accumulations of garbage from other than single family homes shall be so located as to be within thirty (30) feet of any portion of a structure used as a residence by one (1) or more persons other than the premises being served. In no event shall the container be located less than ten (10) feet from the property line if the abutting property has a single family structure. Such containers shall not be located on public property. The owner of each container shall see that each container is disinfected for all types of insects at least once each week.~~

(6) No city employee shall collect refuse located within private property. The collection of refuse shall be made from the street; and the owner, occupant, tenant or lessee of the premises, whether residential or commercial, may place the receptacles for refuse at the driveway entrance or on the parkway near the street. Under most circumstances, refuse containers shall not be placed in the middle of the street for collection.

(c) Heavy dead animals, such as cows, horses, and mules, shall be removed and disposed of at the expense of the owner or person having control of the same ~~in charge and by the a method directed by the eCity health officer.~~

(d) Heavy accumulations such as brush, glass, broken concrete, ashes, sand, dirt or gravel, automobile frames, dead trees, and other bulky, heavy nonputrecible materials shall be disposed of at the expense of the owner or person controlling the same by a method directed by the ~~under the direction of the eCity health officer.~~

(e) Manure from cow lots, horse stables, poultry yards, pigeon lofts, and other animal or fowl pens, waste oils from garages or filling stations shall be removed and disposed at the expense of the person

controlling the same ~~in the manner and~~ by the method directed by the eCity health officer.

(f) Meddling with refuse containers or in any way pilfering, scavenging, scattering contents of containers or junk in any alley or street within the city limits is prohibited.

(g) The collection of garbage or rubbish of any kind or junk within the city limits is prohibited except as provided for in paragraphs (b) through (f) of this section.

(h) The following commercial establishments will be excluded from collection by the City. Removal or disposal shall be at the expense of the owner or person having control of same by a method directed by law.

(1) Institutional facilities with high-density populations, (i.e. hotels, motels, inns, rooming houses, hospitals, boarding houses, jails, schools, whether private, public or quasi-public).

(2) Restaurants, meat markets and other food establishments.

(3) Metal waste establishments.

(4) Used clothing establishments.

(5) Medical and Veterinary clinics.

(hi) City refuse collection carts.

(1) Type of approved container. Containers to be used for the pickup of garbage and rubbish shall be ninety-six (96), ~~sixty-seven (67)~~ or forty (40) gallon two-wheeled refuse collection carts provided and owned exclusively by the eCity. Each container will bear a unique serial number that will be assigned to each dwelling or business unit. All containers shall remain the property of the City of Laredo and shall not be removed from the property on which the dwelling or business unit is located without the written consent of the eDirector of ~~public works~~ Solid Waste.

(2) Disposal in refuse collection carts required. For single-family dwellings, ~~and~~ multifamily dwelling, or business units, it is unlawful to dispose of any garbage or rubbish material anywhere in the city except through placement of such material in the type of approved cart described in subsection 14-3(h)(1) and placed for collection as herein prescribed. The fee for such collection at single-family, ~~and~~ multifamily dwelling or business units shall be ~~such as are set from time to time by the eCity eCouncil.~~

(3) Collection services. All refuse collection carts at single-family dwellings, ~~and~~ multifamily dwellings, or business units comprised of two (2) or less units shall be picked up at curbside, unless otherwise authorized by the eDirector of ~~public works~~ Solid Waste. The refuse collection carts shall be placed in a manner readily accessible for collection immediately

behind the curb (~~i.e., on the parkway~~) at the street or at the ~~alley~~ lot line, as designated by the ~~Director of public works~~ Solid Waste no earlier than 7:00 p.m. on the day preceding the day on which collection is scheduled and no later than ~~7:00~~6:30 a.m. on the day of collection. The empty carts shall be removed as soon as possible but, in no event later than 7:00 p.m. on the day of collection.

(4) Additional refuse collection carts. If a household customer requires more than one (1) refuse collection cart, an additional cart may be requested for a fee of seven dollars (\$7.00) per month.

(5) Uncovered garbage. ~~It is unlawful to place or permit to remain anywhere in the city any garbage, refuse or other material subject to decay other than leaves or grass, and other than recyclable material placed in a recycling bag, and other than that placed in a city refuse collection cart.~~ All refuse collection carts must be placed for collection with the lid closed. If the lid does not close, the garbage will not be picked up.

(6) Replacement of city refuse collection carts. The cost to replace a damaged, misplaced, or stolen cart shall be fifty dollars (\$50.00) unless a police report is filed indicating that the cart has been stolen.

(7) Maintenance of city refuse collection carts. All city refuse collection carts shall be kept clean and washed out as often as necessary so that they will remain in a sanitary condition. Evidence of neglect of these requirements or of damage to the carts shall be determined by the City Health Inspector, and the carts will either be repaired or replaced by the customer of such premises at the customer's expense.

(8) Unlawful damage to city refuse collection carts. Except as authorized by the City Council, it shall be unlawful for any person, firm or corporation to remove, from a residential or a commercial premises at which it is located, or to damage, any city refuse collection cart.

(9) Penalty for violation. The person, firm or corporation violating any provisions of this section shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during which the violation occurs or continues to occur.

#### **Sec. 14-4. Same--Disposal.**

(a) The disposal of ~~garbage and rubbish~~ municipal solid waste shall be by an approved method of incineration, not open burning, or by landfill and daily cover, or by other means as directed by the ~~City Health Officer~~.

(b) All refuse emptied at ~~the~~ a municipal solid waste facility ~~refuse disposal grounds~~ shall become the property of the city and scavenging, scattering, collecting, pilfering the refuse in any way is prohibited ~~except by written permission from the city health officer.~~

**Sec. 14-5.** Throwing or depositing of waste materials upon public ways or property or private premises.

It shall be unlawful for any person to throw or deposit any glass, broken ware, dirt, rubbish, garbage, ~~filth~~, yardwaste, heavy brush or litter upon any public way or property or private premise within the city limits.

**Sec. 14-6.** Vehicles transporting refuse to be covered.

(a) Any vehicle, ~~other than an automobile or a pickup truck not exceeding six thousand (6,000) pounds or having not more than two (2) axles~~, used to transport refuse municipal solid waste in any of the streets or alleys within the corporate limits of the city shall be fitted with a good substantial cover thereon. The covering shall be of wood, metal or canvas and shall be so closely fitted as to prevent the escape or flying about of any of the refuse.

(b) Any person using or driving any vehicles, other than the exceptions stated in subsection (a) for the transportation of garbage within the city limits without the same being fitted with covering, as described in subsection (a), shall be guilty of an offense and upon conviction shall be punished as provided in section 1-6 of this Code.

**Sec. 14-7.** Inspections.

It shall be the duty of the ~~eCity h~~City Health Director ~~o~~Officer or his authorized agent, ~~and he is hereby directed~~, to make all necessary inspections and investigations of any and all premises to see that the terms of this chapter are complied with.

**Sec. 14-8.** Conflict with other ordinances or regulations.

This chapter shall be cumulative of all other ~~sanitary~~ ordinances or regulations of the city, unless in conflict with the terms of such ordinances and regulations, in which case the terms of this chapter shall prevail.

## **ARTICLE II. RATES FOR GARBAGE AND REFUSE COLLECTION AND LANDFILL OPERATIONS**

**Sec. 14-9.** Rates.

(a) Service fee for individual residences. A monthly garbage collection fee (service fee) of eight dollars and fifty cents (\$8.50) will be charged to individual residences inside the city limits and will be charged on the monthly water utility bill from the City ~~u~~Utilities system Department to the building or premises on which the individual residence or residences, if more than one (1), is or are located. In addition to this minimum collection fee, a monthly state and federal recycling program mandate fee of four dollars and twenty-five cents (\$4.25) will be charged to individual residences inside the city limits and will be charged on



the monthly water utility bill from the City Utilities system Department to the building or premises on which the individual residence or residences, if more than one (1), is or are located.

These flat fees will apply to each and every and all residential units, regardless of the type of residential structure. For example, in the case of multifamily structures, such as duplexes or apartment houses, each residential unit therein will be charged the flat fee of eight dollars and fifty cents (\$8.50) for the garbage collection fee and four dollars and twenty-five cents (\$4.25) for the mandate fee.

No rate adjustments will be made for temporary nonuse of service unless the water meter is disconnected. Nonpayment of the garbage collection fee and mandate fee shall be sufficient grounds for discontinuance of water service. The monthly collection fee of eight dollars and fifty cents (\$8.50) and mandate fee shall apply to each church, to each clergy residence, and to each church and clergy residence as a single billing unit if both are located on the same premises. Such service will be billed monthly with the water and sewer service charge of the City Utilities system Department, and in those instances where the monthly bill of water and sewage from the City Utilities system Department is a multi-residential structure, the service fee of the city will be based on the number of individual residences in the structure, and the person or party responsible for paying the water and sewage charge will likewise be responsible for paying the monthly garbage collection fee and mandate fee based on the number of individual residences on the premises.

The mandate fee increase of four dollars and twenty-five cents (\$4.25) will be ~~set aside~~ deposited in the ~~sSolid wWaste management fFund~~.

(b) Collection by the City Utilities system Department. The City Utilities system Department is hereby authorized to serve as the entity to collect the monthly garbage collection fee (service fee) and mandate fee provided for in subsection (a) of this section.

(c) [Definition.] "Commercial establishment" as used in this section shall mean any structure or premises other than residential structures as defined in subsection (b) of this section and shall include the following:

- (1) All retail, wholesale and industrial business establishments;
- (2) All office buildings;
- (3) Professional businesses and service businesses;
- (4) Fraternal organizations, public or private clubs, associations or organizations, and whether profit or nonprofit;
- (5) All other charitable and/or tax-supported organizations;
- (6) Church-related hall or church-related school, whether on the same or on different premises as the church to which affiliated;
- (7) Any and all other type or form of public or private concerns, organizations or institutions not otherwise herein provided for.

(d) Special service event fee.

(1) For special events requiring garbage pick-up outside of the normal working criteria, there will be a fee of ninety dollars (\$90.00) per hour based on actual time worked. This fee excludes all City of Laredo sponsored events.

(2) ~~This fee excludes all City of Laredo sponsored events.~~ When a request is made to search a city refuse truck for personal belongings, the requestor shall be charged ninety dollars (\$90.00) per hour and said fee will not be prorated, but instead rounded up to the nearest hour.

(e) Fees. A monthly garbage collection fee and mandate fee will be charged to each and every commercial establishment, as defined hereinafter, in accordance with the following fee schedule:

(1) For each commercial establishment having up to 1,000 square feet of floor space . . . . \$25.00

(2) For each commercial establishment having from 1,001 square feet to 3,000 square feet of floor space . . . . \$35.00

(3) For each commercial establishment having from 3,001 square feet to 10,000 square feet of floor space . . . . \$65.00

(4) For each commercial establishment having from 10,001 square feet of floor space and over . . . . \$95.00

(5) Any residence ~~which is~~ being utilized in whole or in part as a commercial establishment or business will be charged as commercial by square footage of the portion of the structure being used for the business.

~~(f) Commercial establishments exclusions.~~

~~(1) Institutional facilities with high-density populations, (i.e. hotels, motels, inns, rooming houses, hospitals, boarding houses, jails, schools, whether private, public or quasi-public).~~

~~(2) Restaurants and other food establishments.~~

~~(3) Metal waste establishments.~~

~~(4) Used clothing establishments.~~

(~~g~~f) Appeals process.

(1) Monthly meetings to formally review contested accounts will consist of a representative from the ~~public works~~ Solid Waste ~~d~~Department, Utility Department, ~~f~~Finance ~~d~~Department, and ~~planning~~ Environmental ~~d~~Department .

(2) The committee will provide recommendations to the City Manager ~~for~~ who will make the final decision.

(h) ~~Reserved.~~

(ig) Mandate fees. State and federal recycling program mandate fees of four dollars and twenty-five cents (\$4.25) will be charged for each of the three (3) tiers of commercial establishments.

The monthly garbage fee and mandate fee as determined from the above fee schedule shall be charged to each and every commercial establishment inside the city limits and will be billed on the monthly water bill from the City Utilities Department to the building or premises in which the commercial establishment is located. No rate adjustment will be made for temporary nonuse of the garbage collection service unless the water meter to the commercial establishment is disconnected. Nonpayment of the garbage collection fee and mandate fee as provided for herein shall be sufficient grounds for discontinuance of water service.

(jh) Landfill fees. All household and commercial garbage, rubbish, refuse, trash, yard waste, construction demolition debris, sludge from a wastewater treatment plant, water treatment plant, class II and III nonhazardous industrial waste, special waste approved by the ~~Texas Natural Resources Conservation~~ Commission, and other putrescible and nonputrescible waste which may be disposed of by any person shall not be improperly disposed of at any place within the city limits thereof except at such sites as may be designated by the ~~Director of public works~~ Solid Waste. Persons desiring to dispose of such solid waste at one (1) of the city's sanitary landfills shall pay the following fees for each vehicle load entered at the landfill:

(1) Noncommercial vehicles:

a. Passenger cars, pickups and trailers used by City of Laredo residents transporting less than one (1) ton of household garbage, rubbish, refuse, trash, yard waste or construction demolition waste debris from the resident's home. Residents must show proof of residency with valid Texas drivers' License or Texas I.D. showing the current Laredo address and a current water utility bill showing the same address. ~~Vehicles with out-of-state license plates will be charged as commercial vehicles . . .~~ \$2.00/load

b. Passenger cars, pickups and trailers used by non-city residents transporting less than one (1) ton of household garbage, rubbish, refuse, trash, yard waste or construction demolition waste debris from the resident's home . . . \$30.00/ton

c. Passenger cars, pickups and trailers used by city residents transporting less than one (1) ton of household garbage, rubbish, refuse, trash, yard waste or construction demolition waste debris from the resident's home on Saturdays only. Residents must show proof of residency with valid Texas drivers' or Texas I.D. license showing the current Laredo address and a current water utility bill showing the same

address . . .

No charge

(2) Commercial vehicles:

a. Commercial vehicles including pickups, trailers, and compacted vehicles used by private businesses and commercial haulers transporting waste generated from inside the city limits . . . \$30.00/ton

b. Commercial vehicles including pickups, trailers, and compacted vehicles used by private businesses and commercial haulers transporting waste generated from outside the city limits . . . \$65.00/ton

c. Commercial vehicles including pickups, trailers, and compacted vehicles used by private businesses and commercial haulers transporting waste generated from outside Webb County . . . \$200.00/ton

d. Commercial vehicles including pickups, trailers, and compacted vehicles used by private businesses and commercial haulers transporting merchandise required to be destroyed or food products that have been declared unfit for human consumption by a federal or state government agency . . . \$200.00/ton

(3) The County of Webb and the incorporated cities within Webb County . . . \$30.00/ton

(4) City vehicles except sanitation department . . . \$1.25 ~~13.50~~/ton or current State solid waste fee..

(5) Tires:

a. Passenger tires (up to 19.5 inches rim diameter) . . . \$2.00/tire

b. Truck tires (19.6 to 24.5 inches rim diameter) . . . \$6.00/tire

c. Special size tires (greater than 24.5 inches rim diameter) . . . \$100.00/ton

d. City residents transporting up to four (4) passenger tires from the resident's home on Saturdays only. Residents must show proof of residency with valid Texas drivers' License or Texas I.D. showing the current Laredo address and a current water utility bill showing the same address . . . . No charge

(6) Construction demolition wastes and petroleum-contaminated soil as an alternate daily cover material as per requirements in the landfill permit . . . . \$10.00/ton

(7) Surcharge for incoming vehicles not securely covered, or enclosed, or with a good substantial cover ~~taped~~ to prevent accidental spillage of solid waste material. . . . \$10.00/load

(8) ~~Credit Account Late fees~~ If payment in full on landfill credit accounts is not made within 60 days of the due date, the customer shall pay an administrative late fee of one hundred dollars (\$100.00).

(89) The revenues generated from these fees will be ~~set aside for~~ deposited in the eCity's ~~sSolid wWaste fFund~~.

(ki) Landfill hours. The landfill is open to the public to accept solid waste for disposal services six days a week from Monday through Saturday between the hours of 8:00 a.m. and 5:00 p.m. The landfill is ~~closed on Sundays~~ open on the first Sunday of each month. The landfill is closed to the public during wet weather conditions.

Pickups with a trailer must enter the landfill thirty (30) minutes prior to closing. Persons transporting special waste or loads in van trailers that require manual labor for unloading must call for an appointment.

The eCity will notify all residential, commercial, and industrial customers of suspension of disposal services due to observance of a holiday by local news media forty-eight (48) hours in advance of the holiday being observed.

The eCity may open the landfill for the exclusive use of the eCity at any time so long as such operation is compliant with commission ~~the TNRCC~~ rules.

In the event of an emergency, the eCity may modify the landfill hours so long as such operation is compliant with commission ~~the TNRCC~~ rules.

(+j) Franchise required for collector other than the city. No person or entity, except a duly authorized agent or employee of the city, shall collect garbage or trash of any other person or entity, or convey or transport such garbage or trash on the streets, alleys and public thoroughfares of the city, or dispose of such garbage or trash, for a fee unless and until such person or entity has first obtained a franchise from the city to collect, transport and/or dispose of such garbage or trash. Franchise holders must agree to use only the city municipal solid waste facilities for disposal or processing municipal solid waste and industrial solid waste including but not limited to the city sanitary landfills, and other city municipal solid waste facilities such as transfer stations, to discharge municipal solid waste and industrial solid waste as defined in 30 TAC §330.2. Franchise holders shall pay all landfill fees associated with said use on time. The permit granted to the franchise holder is limited to the facilities normally operated by the City for all municipal solid waste disposal or process. If the City's facilities for any reason are not available for use, either temporarily or permanently, as determined by the City Council of the City of Laredo, or by any prohibited solid waste which cannot be accepted by the facilities, as determined by 30 TAC §330, the City shall be under no

the facilities, as determined by 30 TAC §330, the City shall be under no obligation to furnish to the franchise holder sanitary landfills, or any other municipal solid waste disposing and processing facilities.

~~(m) Collection to be from street. No employee of the city shall collect garbage or trash located within private property. The collection of garbage or trash shall be made from the city right of way, and the owner, occupant, tenant or lessee of the premises, whether residential or commercial, may place the receptacles for garbage or trash at the driveway entrance or on the parkway near the street. Under most circumstances, garbage or trash shall not be placed on the street pavement for collection.~~

(nk) Exemptions. ~~Upon p~~Proper evidence must be presented to the duly elected mayor Director of Solid Waste that a commercial establishment is being serviced by a duly franchised garbage collection enterprise. ~~a~~An exemption from the fee provisions of subsection (e) of this section shall be granted to the commercial enterprise from that date forward. An administrative fee of \$2.50 per month will be charged to all commercial accounts granted an exemption. An application for \$such exemption shall be filed with the with the city secretary and with the dDirector of the department of public works Solid Waste before the exemption can take effect and the exemption will become effective the day the application is approved.

SECTION 2. This ordinance shall become effective not less than Sixty (60) days from the date of introduction and the public hearing held thereof in accordance with the provisions set forth in Section 6.10 of the City Charter.

SECTION 3. This ordinance shall be published in accordance with Section 2.09 (D) of the City Charter.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE \_\_\_\_ DAY OF APRIL 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTESTED:

\_\_\_\_\_  
Gustavo Guevara  
City Secretary

Approved as to form:  
Jaime L. Flores  
City Attorney

By: Valeria M. Acevedo  
Valeria M. Acevedo, Asst. City Attorney

## COUNCIL COMMUNICATION

<b>DATE:</b>  03/29/2004	<b>SUBJECT: FINAL READING OF ORDINANCE 2004-O-075</b>  Amending the City Of Laredo fiscal year 2004 Solid Waste Fund Budget by appropriating a draw down of \$241,751.00 from the opening balance and appropriating it for Equipment acquisition. The project consists of one, five wheel loader for landfill operations. The bid pricings includes provisions for a five year maintenance contract and guaranteed repurchase price.																										
<b>INITIATED BY:</b>  Larry Dovalina, City Manager Cynthia Collazo, Assistant City Manager		<b>STAFF SOURCE:</b>  Oscar J. Medina, Solid Waste Director																									
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004 City Council instructed staff to proceed with Final Reading.																											
<b>BACKGROUND:</b> Present Front end loader was purchased March 30, 1999 for \$229,928 with a buy back of \$162,428. The City of Laredo Solid Waste Department will be reimbursed \$162,428.																											
<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left; width: 35%;"><b>FINANCIAL:</b></th> <th style="text-align: center; width: 20%;">Current Annual Budget FY 2004</th> <th style="text-align: center; width: 20%;">Proposed Amendment</th> <th style="text-align: center; width: 25%;">Amended Budget FY 2004</th> </tr> <tr> <td colspan="4"><b>Solid Waste Fund</b></td> </tr> <tr> <td>Opening Balance</td> <td style="text-align: right;">5,983,877</td> <td style="text-align: right;">(241,751)</td> <td style="text-align: right;">5,742,126</td> </tr> <tr> <td colspan="4"> </td> </tr> <tr> <td>Landfill, Capital Outlay</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Automotive Equipment</td> <td style="text-align: right;">0</td> <td style="text-align: right;">241,751</td> <td style="text-align: right;">241,751</td> </tr> </table>				<b>FINANCIAL:</b>	Current Annual Budget FY 2004	Proposed Amendment	Amended Budget FY 2004	<b>Solid Waste Fund</b>				Opening Balance	5,983,877	(241,751)	5,742,126	 				Landfill, Capital Outlay				Automotive Equipment	0	241,751	241,751
<b>FINANCIAL:</b>	Current Annual Budget FY 2004	Proposed Amendment	Amended Budget FY 2004																								
<b>Solid Waste Fund</b>																											
Opening Balance	5,983,877	(241,751)	5,742,126																								
Landfill, Capital Outlay																											
Automotive Equipment	0	241,751	241,751																								
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b>  Conduct Public Hearing and Introduce this Ordinance																									

**ORDINANCE 2004-O-075**

**AMENDING THE CITY OF LAREDO FISCAL YEAR 2004 SOLID WASTE FUND BUDGET BY APPROPRIATING A DRAW DOWN OF \$241,751 FROM THE OPENING BALANCE AND APPROPRIATING IT FOR LANDFILL EQUIPMENT ACQUISITION.**

WHEREAS, on September 22, 2003, City Council adopted the fiscal year 2004 annual budget: and

WHEREAS, on March 29, 2004, City Council held a public hearing and introduced this ordinance; and

WHEREAS, in order to provide the funding necessary for cost associated with equipment acquisition for landfill operations this equipment has a buyback and five year maintenance option, the proposed budget amendment is hereby proposed

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Solid Waste Fund is hereby amended as follows:

	<b>Current Annual Budget FY 2004</b>	<b>Proposed Amendment</b>	<b>Amended Budget FY 2004</b>
<b>Solid Waste Fund</b>			
Opening Balance	5,983,877	(241,751)	5,742,126
Landfill Capital Outlay			
Automotive Equipment	0	241,751	241,751

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

\_\_\_\_\_  
ELIZABETH G. FLORES,  
MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.,  
CITY SECRETARY

\_\_\_\_\_  
JAIME L. FLORES  
CITY ATTORNEY



## COUNCIL COMMUNICATION

<b>DATE:</b>  04/05/04	<b>SUBJECT: FINAL READING OF ORDINANCE #2004-O-076</b> Authorizing City Manager to convey on behalf of City of Laredo, as Trustee, Lots 2, 3,4,5,6, & 7, Block 261, Eastern Division, to Laredo Independent School District; such conveyance being for the consideration of \$182,000.00 of which the net proceeds shall be disbursed to the creditor taxing entities in the proportion each entity holds of the Tax Judgment; and providing for effective date.	
<b>INITIATED BY:</b> LARRY DOVALINA City Manager		<b>STAFF SOURCE:</b> CYNTHIA COLLAZO Assistant City Manager
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004, this ordinance was introduced by the City Council.		
<b>BACKGROUND:</b> <p>Laredo Independent School District expressed its wish to buy the above property near Memorial Middle School from the City. For years City staff believed it owned the property, and had the property appraised and the fair market value is \$182,000.00. However, it transpires that the City owns the property, not itself, but as Trustee for four taxing units, and so the sale will be as Trustee under tax judgment, and the proceeds will be disbursed in accordance with each creditor's proportion of the underlying tax judgment.</p> <p>The tax judgment was dated November 27, 1957 in Cause No. 5346, and subsequently the property was conveyed to the City of Laredo, as Trustee for the judgment creditors by sheriff's deed dated January 7, 1958, which is recorded in Volume 284, pages 55-56, Webb County Deed Records.</p> <p>The sale will be closed at a title company, and the proceeds from the sale, less the cost of title insurance will be distributed to the judgment creditors, in the following percentages.</p> <p>Laredo Community College.....1.16% Laredo Independent School District.....7.5943% Webb County.....17.1412% City of Laredo.....64.1045%</p>		
<b>FINANCIAL IMPACT:</b> Tax revenue of approximately 64% of \$182,000.00, less title insurance. Proceeds will be deposited into General Fund Account #101-0000-374-1000.		
<b>COMMITTEE RECOMMENDATION:</b> N/A		<b>STAFF RECOMMENDATION:</b> Staff recommends passage of this Ordinance.

**ORDINANCE NO. 2004-O-076**

AUTHORIZING CITY MANAGER TO CONVEY ON BEHALF OF CITY OF LAREDO, AS TRUSTEE, LOTS 2,3,4,5,6 & 7, BLOCK 261, EASTERN DIVISION, TO LAREDO INDEPENDENT SCHOOL DISTRICT; SUCH CONVEYANCE BEING FOR THE CONSIDERATION OF \$182,000.00 OF WHICH THE NET PROCEEDS SHALL DISBURSED TO THE CREDITOR TAXING ENTITIES IN THE PROPORTION EACH ENTITY HOLDS OF THE TAX JUDGMENT; AND PROVIDING FOR EFFECTIVE DATE .

WHEREAS, Laredo Independent School District seeks to acquire the above property for its appraised fair market value of \$182,000.00;and

WHEREAS, the City of Laredo, as Trustee, acquired the said property by Sheriff's deed dated January 7, 1958, recorded in Volume 284, pages 55-56, Webb County Property Records, on behalf of the taxing entity beneficiaries of a tax judgment pertaining to the property; and

WHEREAS, the taxing entity beneficiaries of the underlying tax judgment in Cause No. 5346 dated November 27, 1957, were Laredo Community College, Laredo Independent School District, Webb County and the City of Laredo; ;and,

WHEREAS, pursuant to the Tax Code, the City, as Trustee, agrees to sell the said property to Laredo Independent School District for its appraised value of \$182,000.00 and to distribute the net proceeds from the sale to judgment creditors in the proportion that each creditor has of the judgment;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

1. It authorizes the City Manager to convey, on behalf of the City of Laredo, as Trustee, to Laredo Independent School District, for the sum of \$182,000.00 the following property: Lots 2,3,4,5,6 & 7, Block 261, Eastern Division, by warranty deed in the form attached as Exhibit 1; and
2. It authorizes the City Manager to disburse the net proceeds of the sale to the taxing entities which are beneficiaries of the underlying judgment in the following percentages: Laredo Community College (1.16%), Laredo Independent School District (7.5943%), Webb County (17.1412%), and City of Laredo (64.1045%); and
3. This Ordinance shall become effective upon passage thereof.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
LAREDO ON THIS THE \_\_\_\_ DAY OF APRIL, 2004


\_\_\_\_\_  
ELIZABETH G. FLORES  
Mayor

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA  
City Secretary

APPROVED AS TO FORM:

JAIME L. FLORES  
City Attorney

By:   
\_\_\_\_\_  
ANTHONY C. McGETTRICK  
Asst. City Attorney

## COUNCIL COMMUNICATION

<b>DATE:</b>  04/05/04	<b>SUBJECT: FINAL READING OF ORDINANCE #2004-O-077</b> Authorizing City Manager to (1) convey Benavides Street between Davis and Main Avenues and (2) to convey Garcia Street between San Dario and San Eduardo Avenues, subject to retention of easements for existing utilities on said street sections and (3) to sign a Licensing Agreement whereby LISD may use indefinitely a 20' wide section of Davis Avenue of 0.0291 acres adjacent to Blocks 255 and 274, Western Division, City of Laredo, County of Webb, Texas, as a parking adjunct to MacDonnell School.	
<b>INITIATED BY:</b> LARRY DOVALINA City Manager		<b>STAFF SOURCE:</b> CYNTHIA COLLAZO Assistant City Manager
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004, this ordinance was introduced by the City Council.		
<b>BACKGROUND:</b> Under the terms of the 12-23-2003 interlocal agreement,  1. L.I.S.D. will acquire the following two closed street sections in connection with construction at Bruni and McDonnell schools:  (a). closed Benavides Street between Davis and Main Avenues [in connection with McDonnell School] (b). closed Garcia Street between San Dario and San Eduardo Avenues [in connection with Bruni School]  subject to retention of easements for existing utilities, and provision for responsibility of LISD for any costs incurred by City in the maintenance and upkeep of the city's utilities, as a result of improvements to be constructed by LISD on said two street sections; and  2. License from City to LISD to use a section of Davis Avenue as part of the school property, subject to right of City to terminate on 30 days' notice  <div style="text-align: center;"><b>Continued next page.</b></div>		
<b>FINANCIAL IMPACT:</b> Unknown at this time		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> Staff recommends passage of this ordinance.

**BACKGROUND: CONTINUATION FROM PAGE 1.**

Above items 1 and 2 are the subject of this ordinance.

And, in return for the conveyance of (1), above, and license (2), above by the City to LISD, the school district has

1. Relocated the sanitary sewer and storm sewer lines located in the Garcia Street section, to LISD property and will provide easements to the City for the relocated lines after this ordinance is passed; and
2. Will deliver deeds to the following properties, which L.I.S.D. held as Trustee, from tax cases:
  - (a) Lots 3, 4, 5, 6 and 7, Block 909, Eastern Division
  - (b) Partial Block 2105, Eastern Division
  - (c) All of Block 2168, Eastern Division
  - (d) Partial Block 2175, Eastern Division [called Lot 5]
  - (e) Lots 7 and 8, Block 1889, Eastern Division
  - (f) Lot 8, Block 246, Eastern Division

**ORDINANCE NO. 2004-O-077**

AUTHORIZING CITY MANAGER TO (1) CONVEY BENAVIDES STREET BETWEEN DAVIS AND MAIN AVENUES AND (2) TO CONVEY GARCIA STREET BETWEEN SAN DARIO AND SAN EDUARDO AVENUES, SUBJECT TO RETENTION OF EASEMENTS FOR EXISTING UTILITIES ON SAID STREET SECTIONS AND (3) TO SIGN A LICENSING AGREEMENT WHEREBY LISD MAY USE INDEFINITELY A 20' WIDE SECTION OF DAVIS AVENUE OF 0.0291 ACRES ADJACENT TO BLOCKS 255 AND 274, WESTERN DIVISION, CITY OF LAREDO, COUNTY OF WEBB, TEXAS, AS A PARKING ADJUNCT TO MACDONELL; PROVIDING FOR EFFECTIVE DATE

WHEREAS, Laredo Independent School District sought to acquire sections of Garcia Street and Benavides Street for improvements to be made to Bruni and Macdonell schools; and,

WHEREAS, on October 21, 2002 by Ordinance No. 2002-0-269 the section of Benavides Street between Davis and Main Avenues was closed, and on same date the section of Garcia Street between San Dario and San Eduardo Avenues; and

WHEREAS, on July 21, 2003 the city council authorized the city manager to negotiate an interlocal agreement with Laredo Independent School District on these and related matters; and

WHEREAS, on October 20, 2003, the city council authorized the city manager to sign the negotiated interlocal agreement; and

WHEREAS, on December 23, 2003, the interlocal agreement was signed by the City of Laredo and Laredo Independent School District; and

WHEREAS, this ordinance has been prepared so that the city may perform the part of the agreement relating to the conveyances required of the city, and to the license agreement to be executed by the parties.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

1. It authorizes the City Manager to convey the former section of Benavides Street between Davis and Main Avenues in the form attached hereto as **Exhibit 1** and reserving therein easements as described in Exhibits A,B,C and D of Exhibit 1; and
2. It authorizes the City Manager to convey the former section of Garcia Street between San Dario and San Eduardo Avenues in the form attached hereto as

**Exhibit 2** and reserving therein easements as described in Exhibits A,B,C,D and E of said Exhibit 2; and

3. It authorizes the City Manager to execute the license agreement with Laredo Independent School in the form and content attached hereto as **Exhibit 3**, whereby the school district may indefinitely use the section of Davis Avenue described therein for vehicular parking in conjunction with Macdonell School; and
4. This Ordinance shall become effective upon passage thereof.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAREDO ON THIS THE \_\_\_\_ DAY OF APRIL, 2004

\_\_\_\_\_  
ELIZABETH G. FLORES

Mayor

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA

City Secretary

APPROVED AS TO FORM:

JAIME L. FLORES

City Attorney

By: \_\_\_\_\_

ANTHONY C. McGETTRICK

Asst. City Attorney

## WARRANTY DEED

Date: April \_\_, 2004

Grantor: CITY OF LAREDO, pursuant to authority of Ordinance No. \_\_\_\_\_ dated \_\_\_\_\_

Grantor's Mailing Address (including county): 1110 Houston  
Laredo, Webb County, Texas

Grantee: LAREDO INDEPENDENT SCHOOL DISTRICT

Grantee's Mailing Address (including county): 1702 Houston  
Laredo, Webb County, Texas

Consideration: The sum of Ten and No/100 (\$10.00) Dollars, and other valuable consideration to the undersigned in hand paid to Grantor by the Grantee herein named, the receipt of which is hereby acknowledged.

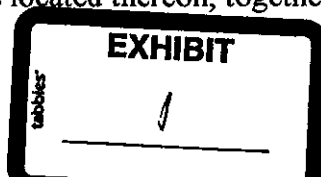
### Property (including any improvements):

Situated in Webb County, Texas, and being the surface only of that section of Benavides Street between Davis Avenue and Main Avenue in the Western Division of the City of Laredo which was closed by Ordinance No. 2002-0-269 dated October 2, 2003

### Reservations from and Exceptions to Conveyance and Warranty:

1. there is reserved to Grantor (a) a 15' wide easement for a sanitary sewer line, which 0.086 acre easement is described by metes and bounds in **Exhibit A** attached hereto and shown on survey in **Exhibit B** attached hereto, and (b) the right to be reimbursed by Grantee for any maintenance or replacement costs incurred hereafter by Grantor as a result of damage caused by school improvements which have been, or may hereafter be, constructed by Grantee over said easement; and
2. there is reserved to Grantor (a) a 15' wide easement for a storm drainage line, which 0.086 acre easement is described by metes and bounds in **Exhibit C** attached hereto and shown on survey in **Exhibit D** attached hereto, and (b) the right to be reimbursed by Grantee for any maintenance or replacement costs incurred hereafter by Grantor as a result of damage caused by school improvements which have been, or may hereafter be, constructed by Grantee over said easement.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, has **GRANTED, SOLD AND CONVEYED**, and by these presents does hereby **GRANT, SELL, AND CONVEY** to Grantee the herein-above described real property, and any improvements located thereon, together with all and singular the rights and





appurtenances thereto in any wise belonging, **TO HAVE AND TO HOLD** it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, successors and/or assigns to **WARRANT AND FOREVER DEFEND** all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

**CITY OF LAREDO**

By: \_\_\_\_\_  
LARRY DOVALINA  
CITY MANAGER

STATE OF TEXAS           §

COUNTY OF WEBB       §

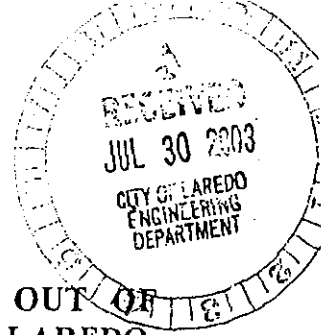
This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, 2004, by Larry Dovalina, City Manager of the City of Laredo, a municipal corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, in and for State of Texas.

**AFTER RECORDING RETURN TO:**

Sigifredo Perez, III  
Kazen, Meurer & Perez  
1619 Matamoros  
Laredo, Texas 78040

**METES AND BOUND DESCRIPTION**  
(15' SANITARY SEWER EASEMENT)



BEING A 0.086 ACRE (3,750.00 SQ. FT.) TRACT OF LAND OUT OF BENAVIDES ST. RIGHT-OF-WAY, WESTERN DIVISION, CITY OF LAREDO, WEBB COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a 1/2" iron rod found marking the northwest corner of Lot 8, Block 255, Western Division, City of Laredo, Webb County, Texas;

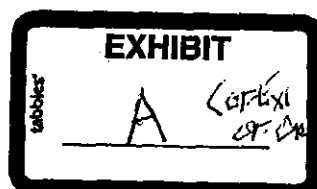
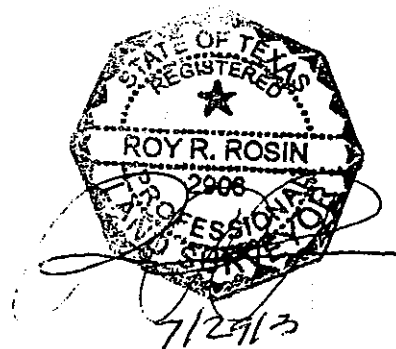
THENCE North 14.60 feet to the **POINT OF BEGINNING**;

THENCE N 00° 00' 00" E 15.00 feet to a point marking the most northwest corner of the herein described tract;

THENCE S 90° 00' 00" E 250.00 feet to a point;

THENCE S 00° 00' 00" W 15.00 feet to a point marking the southeast corner of the herein described tract;

THENCE N 90° 00' 00" W 250.00 feet to the **POINT OF BEGINNING**.

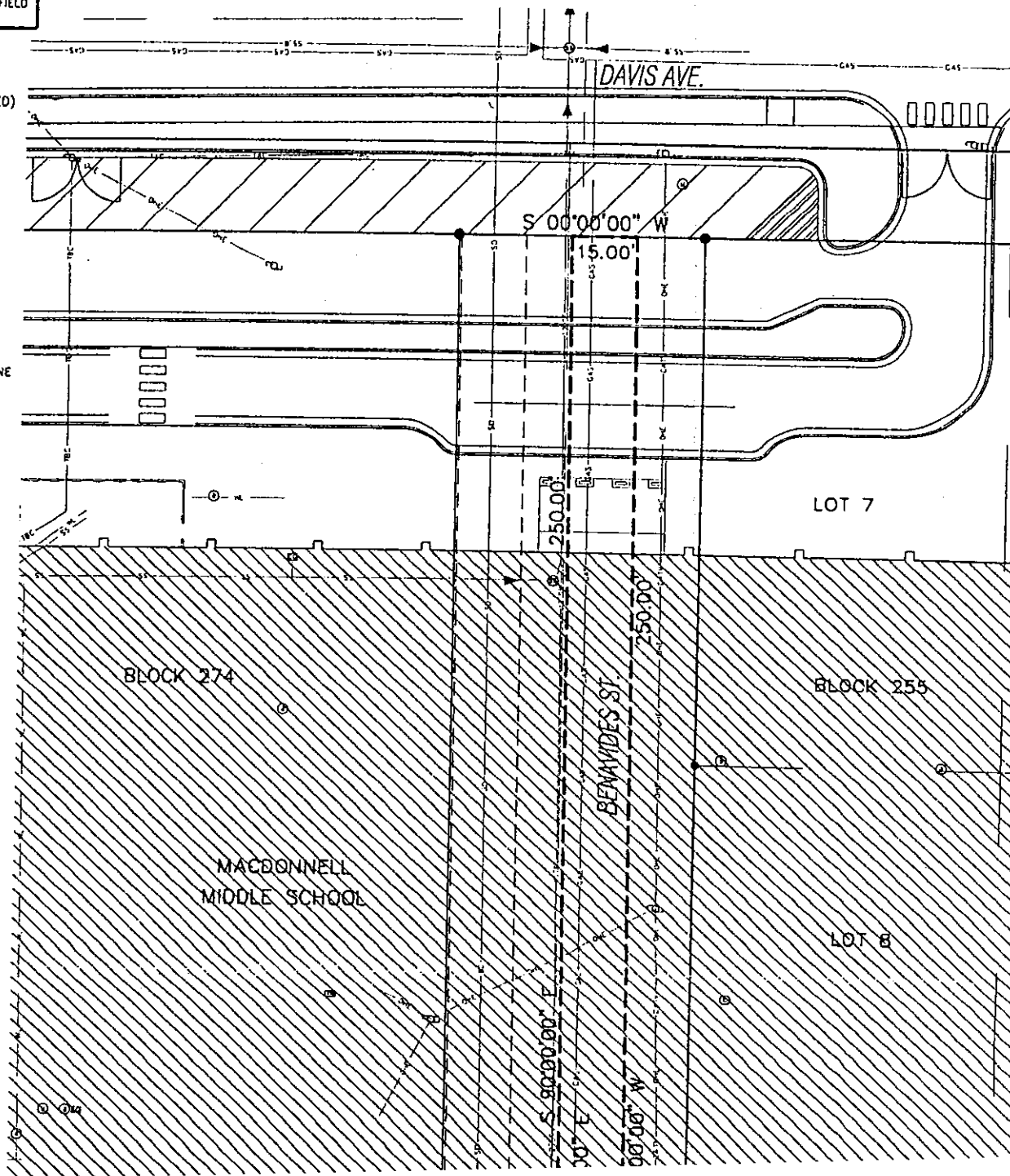


N89°27'41"E  
65.00'  
RECORD INFORMATION  
S33°29'20"W  
161.24'  
AS MEASURED IN FIELD

# LEGEND

- IRON ROD SET  
(UNLESS OTHERWISE STATED)
- SPRINKLER HEAD
- STORM SEWER MANHOLE
- SANITARY SEWER MANHOLE
- WATER METER
- WATER VALVE
- WATER FAUCET
- GAS VALVE
- WATER FOUNTAIN
- POWER POLE
- FIRE HYDRANT
- CLEANDUT
- TELEPHONE PEDESTAL
- ELECTRIC METER
- LIGHTPOST
- UNDERGROUND ELECTRIC LINE
- CHAINLINK FENCE
- WROUGHT IRON FENCE
- ELECTRIC TRANSFORMER
- WATER LINE
- SANITARY SEWER LINE
- GAS LINE
- TELEPHONE AERIAL CABLE
- TELEPHONE BURIED CABLE
- CABLE T.V. AERIAL

 NEW BUILDING



**METES AND BOUND DESCRIPTION**  
(15' STORM DRAIN EASEMENT)

BEING A 0.086 ACRE (3,750.00 SQ. FT.) TRACT OF LAND OUT OF BENAVIDES ST. RIGHT-OF-WAY, SAID TRACT BEING ADJACENT TO THE SOUTH BOUNDARY LINE OF BLOCK 274, WESTERN DIVISION, CITY OF LAREDO, WEBB COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a 1/2" iron rod found marking the northwest corner of Lot 8, Block 255, Western Division, City of Laredo, Webb County, Texas;

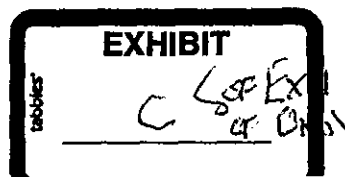
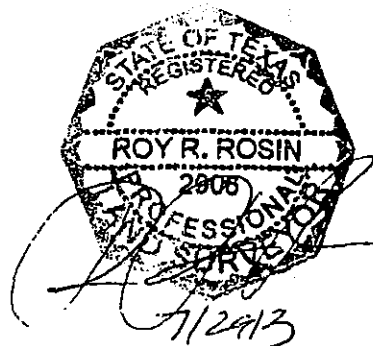
THENCE North 40.47 feet to the POINT OF BEGINNING;

THENCE N 00° 00' 00" W 15.00 feet to a point marking the most northwest corner of the herein described tract;

THENCE N 90° 00' 00" E 250.00 feet to a point marking the northeast corner of the herein described tract;

THENCE S 00° 00' 00" E 15.00 feet to a point marking the southeast corner of the herein described tract;

THENCE S 90° 00' 00" W 250.00 feet to the POINT OF BEGINNING.



N89°27'41"E  
65.00'

RECORD INFORMATION

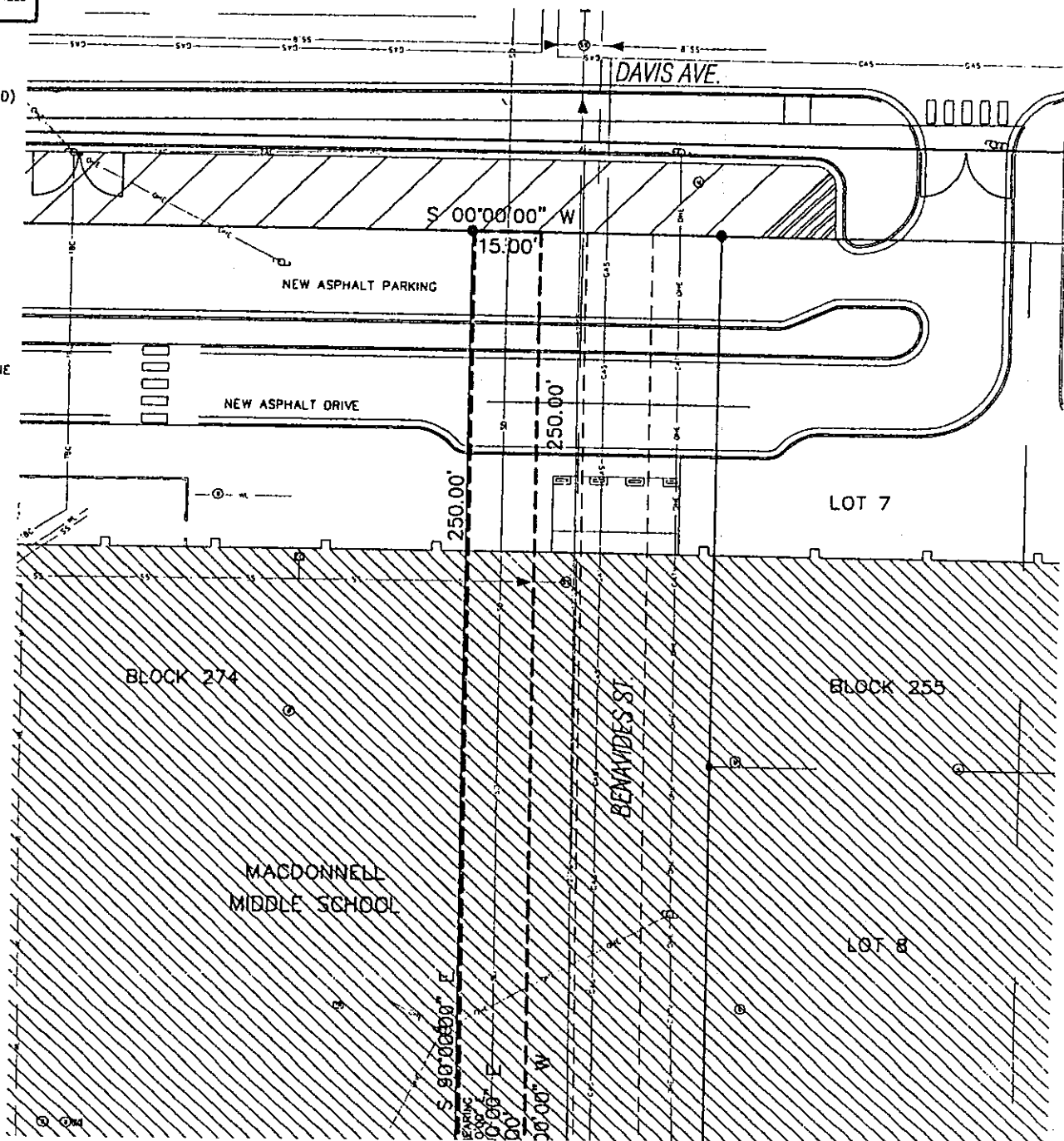
S33°29'20"W  
161.24'

AS MEASURED IN FIELD

# LEGEND

- IRON ROD SET (UNLESS OTHERWISE STATED)
- ⊙ SPRINKLER HEAD
- ⊙ STORM SEWER MANHOLE
- ⊙ SANITARY SEWER MANHOLE
- ⊙ WATER METER
- ⊙ WATER VALVE
- ⊙ WATER FAUCET
- ⊙ GAS VALVE
- ⊙ WATER FOUNTAIN
- ⊙ POWER POLE
- ⊙ FIRE HYDRANT
- ⊙ CLEANOUT
- ⊙ TELEPHONE PEDESTAL
- ⊙ ELECTRIC METER
- ⊙ LIGHTPOST
- UNDERGROUND ELECTRIC LINE
- CHAINLINK FENCE
- WROUGHT IRON FENCE
- ELECTRIC TRANSFORMER
- WATER LINE
- SANITARY SEWER LINE
- GAS LINE
- TELEPHONE AERIAL CABLE
- TELEPHONE BURIED CABLE
- CABLE T.V. AERIAL

NEW BUILDING



## WARRANTY DEED

Date: \_\_\_\_\_, 2004

Grantor: CITY OF LAREDO, pursuant to authority of Ordinance No. \_\_\_\_\_ dated \_\_\_\_\_

Grantor's Mailing Address (including county): 1110 Houston  
Laredo, Webb County, Texas

Grantee: LAREDO INDEPENDENT SCHOOL DISTRICT

Grantee's Mailing Address (including county): 1702 Houston  
Laredo, Webb County, Texas

Consideration: The sum of Ten and No/100 (\$10.00) Dollars, and other valuable consideration to the undersigned in hand paid to Grantor by the Grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

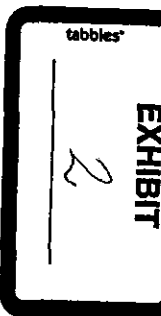
Situated in Webb County, Texas, and being the surface only of that section of Garcia Street located between San Dario Avenue and San Eduardo Avenue, in the Western Division of the City of Laredo which was closed by Ordinance No. 2002-0-271 dated October 2, 2003.

Reservations from and Exceptions to Conveyance and Warranty:

1. there is reserved to Grantor (a) a 15' wide easement for a water line, which 0.0225 acre easement is described by metes and bounds description in **Exhibit A** attached hereto and a 15' wide easement for a water line, which 0.0242 acre easement is described by metes and bounds description in **Exhibit B** attached hereto, and both easements are shown on survey in **Exhibit C** attached hereto, and (b) the right to be reimbursed by Grantee for any maintenance or replacement costs incurred hereafter by Grantor as a result of damage caused by school improvements which have been, or may hereafter be, constructed by Grantee over said easements; and

2. there is also reserved to Grantor (a) a 15' wide easement for a storm sewer line, which 0.0242 acre easement is described by metes and bounds in **Exhibit D** attached hereto and shown on survey in **Exhibit E** attached hereto, and (b) the right to be reimbursed by Grantee for any maintenance or replacement costs incurred hereafter by Grantor as a result of damage caused by school improvements which have been, or may hereafter be, constructed by Grantee over said easement;

3. Any and all restrictions, encumbrances, oil and gas leases, easements, covenants and conditions, if any, relating to the herein-above described real property as the same are filed for record in the County Clerk's Office of Webb County, Texas.



Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, has **GRANTED, SOLD AND CONVEYED**, and by these presents does hereby **GRANT, SELL, AND CONVEY** to Grantee the herein-above described real property, and any improvements located thereon, together with all and singular the rights and appurtenances thereto in any wise belonging, **TO HAVE AND TO HOLD** it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, successors and/or assigns to **WARRANT AND FOREVER DEFEND** all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

CITY OF LAREDO

By: \_\_\_\_\_  
LARRY DOVALINA  
CITY MANAGER

STATE OF TEXAS           §

COUNTY OF WEBB       §

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, 2004, by Larry Dovalina, City Manager of the City of Laredo, a municipal corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, in and for State of Texas.

AFTER RECORDING RETURN TO:

Sigifredo Perez, III  
Kazen, Meurer & Perez  
1619 Matamoros  
Laredo, Texas 78040

**WATER LINE EASEMENT TRACT  
0.0225 ACRES**

STATE OF TEXAS  
COUNTY OF WEBB

A TRACT OF LAND CONTAINING 0.0225 ACRES (982 square feet), more or less, within the present Garcia Street right-of-way (55.56' R.O.W. to be sold/closed) adjacent to Block 313, Western Division, City of Laredo, Texas, said 0.0225 acre tract more particularly described by metes and bounds as follows:

**BEGINNING** at a ½" diameter iron rod found on the west right-of-way line of San Eduardo Ave. (55.56' R.O.W.), said rod being the southeast corner of aforementioned Block 313 and being the northeast corner of this 0.0225 acre tract;

THENCE S00°08'35"W, along the projected westerly right-of-way line of San Eduardo Ave., a distance of 49.08' to a 60-D nail set the southeast corner hereof;

THENCE N89°51'25"W, a distance of 20.00' to a 60-D nail set for the southwest corner hereof;

THENCE N00°08'35"E, a distance of 49.08' to a 60-D nail set on the southerly line of said Block 313 same being the northerly right-of-way line of Garcia Street for the northwest corner hereof;

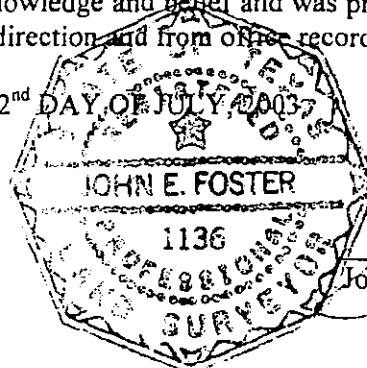
THENCE S89°51'25"E, along the northerly right-of-way line of Garcia Street, a distance of 20.00' to the **PLACE OF BEGINNING** of this 0.0225 acre, more or less, tract.

NOTE: Basis of bearings taken from the easterly line of I.H. 35 (N00°08'20"W) called "theoretical street line" of San Dario Ave. as per Plat entitled "R.O.W. Monuments Interstate Highway 35 Laredo, Texas" prepared by Gonzalo F. Farias, City Engineer of Laredo, Texas, plat dated November 13, 1962.

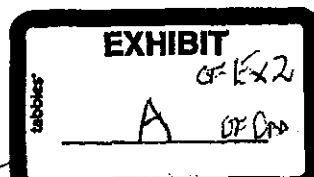
STATE OF TEXAS  
COUNTY OF WEBB

I, John E. Foster, a Registered Professional Land Surveyor, do hereby certify that the foregoing metes and bounds description is true and correct to my best knowledge and belief and was prepared from an actual survey made on the ground July 18, and 22, 2003 under my direction and from other records available.

WITNESS MY HAND AND SEAL THIS 22<sup>nd</sup> DAY OF JULY, 2003



John E. Foster, R.P.L.S. #1136  
P.E. #15851





**WATER LINE EASEMENT TRACT**  
**0.0242 ACRES**

STATE OF TEXAS  
COUNTY OF WEBB

A TRACT OF LAND CONTAINING 0.0242 ACRES (1,056 square feet), more or less, situated within the present Garcia Street right-of-way (55.56 R.O.W. to be sold/closed) adjacent to Block 313, Western Division, City of Laredo, Webb County, Texas, said 0.0242 acre tract being more particularly described by metes and bounds as follows:

COMMENCING for a point of reference at a ½" diameter iron rod found being the southeast corner of aforementioned Block 313;

THENCE N89°51'25"W, along the southerly line of said Block 313 same being the northerly R.O.W. line of Garcia Street, a distance of 240.63' to a 60-D nail set for the **TRUE PLACE OF BEGINNING** and the northeast corner of this 0.0242 acre tract;

THENCE S00°08'20"E, a distance of 49.38' to a 60-D nail set for the southeast corner hereof;

THENCE N89°51'25"W, a distance of 21.39' to a 60-D nail set on the called "theoretical street line" of San Dario Ave. as per Plat entitled "R.O.W. Monuments Interstate Highway 35 Laredo, Texas" prepared by Gonzalo F. Farias, City Engineer, dated November 13, 1962, said nail being the southwest corner hereof;

THENCE N00°08'20"W, along said "theoretical street line" of San Dario Ave., a distance of 49.38' to a 60-D nail set for the northwest corner hereof;

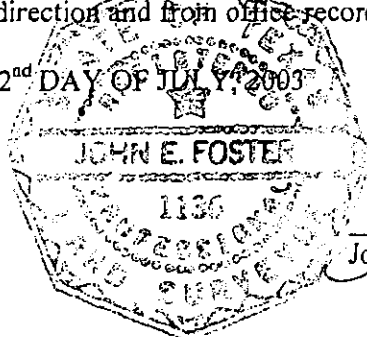
THENCE S89°51'25"E, along the northerly right-of-way line of Garcia Street, a distance of 21.39' to the **TRUE PLACE OF BEGINNING** of this 0.0242 acre, more or less, tract;

NOTE: Basis of bearings taken from the easterly line of I.H. 35 (N00°08'20"W) called "theoretical street line" of San Dario Ave. as per Plat entitled "R.O.W. Monuments Interstate Highway 35 Laredo, Texas" prepared by Gonzalo F. Farias, City Engineer of Laredo, Texas, plat dated November 13, 1962.

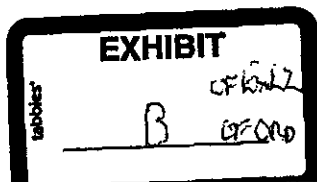
STATE OF TEXAS  
COUNTY OF WEBB

I, John E. Foster, a Registered Professional Land Surveyor, do hereby certify that the foregoing metes and bounds description is true and correct to my best knowledge and belief and was prepared from an actual survey made on the ground July 18, and 22, 2003 under my direction and from office records available.

WITNESS MY HAND AND SEAL THIS 22<sup>nd</sup> DAY OF JULY, 2003



*John E. Foster*  
John E. Foster, R.P.L.S. #1136  
P.E. #15851



SURVEYED: 7-18-03 REV: 7-22-03  
BY: FOSTER ENGINEERING CO.  
1004 HILLSIDE ROAD  
LAREDO, TEXAS 78041  
(956) 723-3451  
FILE: BRUNISTSWATERESMT.DWG  
JOHN E. FOSTER, R.P.L.S. #1136

# SURVEY PLAT

OF

A 0.2921 ACRE TRACT OF LAND  
WITHIN LAREDO INDEPENDENT SCHOOL DISTRICT PROPERTY  
BLOCK 313 WESTERN DIVISION  
CITY OF LAREDO, TEXAS  
AND TWO TRACTS  
CONTAINING 0.0242 AND 0.0225 ACRES  
WITHIN ADJACENT GARCIA ST. R.O.W.

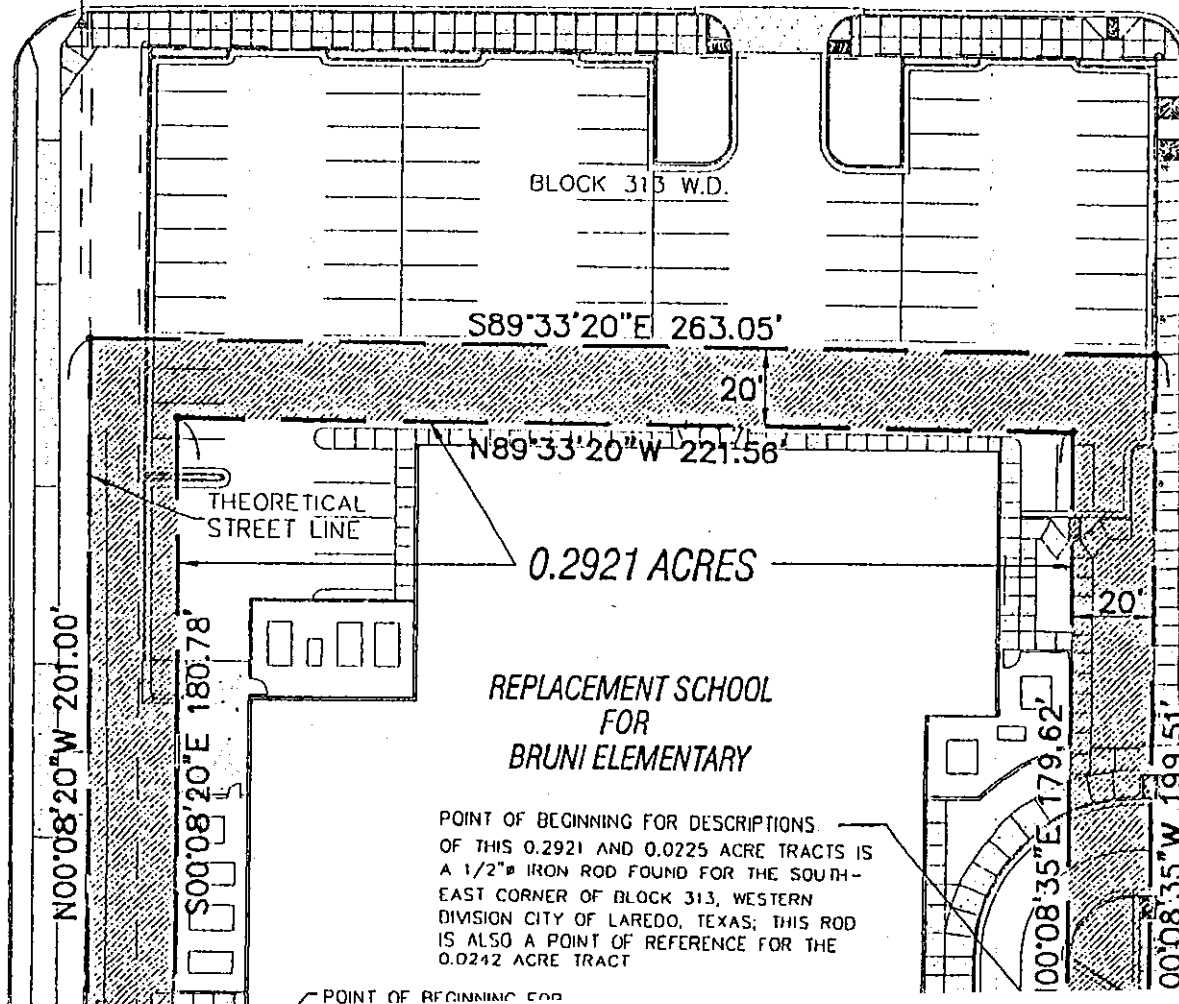
FOR WATER LINE  
EASEMENT

CALLAGHAN ST.

SCALE: 1"=40'

SAN DARIO AVE.

SAN EDUARDO AVE.



**STORM SEWER EASEMENT TRACT  
0.0242 ACRES**

STATE OF TEXAS  
COUNTY OF WEBB

A TRACT OF LAND CONTAINING 0.0242 ACRES (1,056 square feet), more or less, situated within the present Garcia Street right-of-way (55.56 R.O.W. to be sold/closed) adjacent to Block 313, Western Division, City of Laredo, Webb County, Texas, said 0.0242 acre tract being more particularly described by metes and bounds as follows:

COMMENCING for a point of reference at a 1/2" diameter iron rod found being the southeast corner of aforementioned Block 313;

THENCE N89°51'25"W, along the southerly line of said Block 313 same being the northerly R.O.W. line of Garcia Street, a distance of 240.63' to a 60-D nail set for the **TRUE PLACE OF BEGINNING** and the northeast corner of this 0.0242 acre tract;

THENCE S00°08'20"E, a distance of 49.38' to a 60-D nail set for the southeast corner hereof;

THENCE N89°51'25"W, a distance of 21.39' to a 60-D nail set on the called "theoretical street line" of San Dario Ave. as per Plat entitled "R.O.W. Monuments Interstate Highway 35 Laredo, Texas" prepared by Gonzalo F. Farias, City Engineer, dated November 13, 1962, said nail being the southwest corner hereof;

THENCE N00°08'20"W, along said "theoretical street line" of San Dario Ave., a distance of 49.38' to a 60-D nail set for the northwest corner hereof;

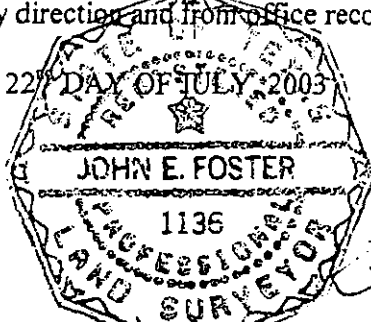
THENCE S89°51'25"E, along the northerly right-of-way line of Garcia Street, a distance of 21.39' to the **TRUE PLACE OF BEGINNING** of this 0.0242 acre, more or less, tract;

NOTE: Basis of bearings taken from the easterly line of I.H. 35 (N00°08'20"W) called "theoretical street line" of San Dario Ave. as per Plat entitled "R.O.W. Monuments Interstate Highway 35 Laredo, Texas" prepared by Gonzalo F. Farias, City Engineer of Laredo, Texas, plat dated November 13, 1962.

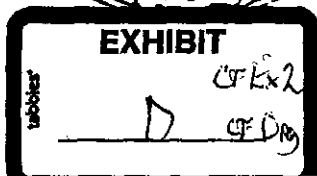
STATE OF TEXAS  
COUNTY OF WEBB

I, John E. Foster, a Registered Professional Land Surveyor, do hereby certify that the foregoing metes and bounds description is true and correct to my best knowledge and belief and was prepared from an actual survey made on the ground July 18, and 22, 2003 under my direction and from office records available.

WITNESS MY HAND AND SEAL THIS 22<sup>ND</sup> DAY OF JULY, 2003



*[Signature]*  
John E. Foster, R.P.L.S. #1136  
P.E. #15851



SURVEYED: 7-18-03 REV: 7-22-03  
BY: FOSTER ENGINEERING CO.  
1004 HILLSIDE ROAD  
LAREDO, TEXAS 78041  
(956) 723-3451  
FILE: BRUNISTSWATERESMT.DWG  
JOHN E. FOSTER, R.P.L.S. #1136

# SURVEY PLAT

OF

A 0.2195 ACRE TRACT OF LAND  
WITHIN LAREDO INDEPENDENT SCHOOL DISTRICT PROPERTY  
BLOCK 313 WESTERN DIVISION  
CITY OF LAREDO, TEXAS

AND

A 0.0242 ACRE TRACT OF LAND  
WITHIN ADJACENT GARCIA ST. R.O.W.

FOR STORM SEV  
EASEMENT

CALLAGHAN ST.

SCALE: 1" = 40'

BLOCK 313 W.D.

S89°33'20"E 263.15'

20'

N89°33'20"W 241.66'

0.2195 ACRES

POINT OF BEGINNING FOR DESCRIPTION  
OF THIS 0.2195 ACRE TRACT IS A  
60-D NAIL SET ON THE WEST R.O.W  
LINE OF SAN EDUARDO AVE.

THEORETICAL  
STREET LINE

REPLACEMENT SCHOOL  
FOR  
BRUNI ELEMENTARY

POINT OF BEGINNING FOR  
DESCRIPTION OF THE 0.0242  
ACRE TRACT IS A 60-D NAIL SET

REFERENCE POINT FOR DESCRIPTIONS  
OF THE 0.2195 AND 0.0242 ACRE TRACTS IS  
A 1/2" IRON ROD FOUND FOR THE SOUTH-

20'00'  
S00°08'35"W

N00°08'35"E  
199.51'

SAN EDUARDO AVE.

SAN DARIO AVE.

N00°08'20"W 221.00'

S00°08'20"E 200.78'

IH 35

## LICENSE AGREEMENT

The City of Laredo, a home-rule city and political subdivision of the State of Texas, ("the Licenser") and Laredo Independent School District, a political subdivision of Texas, ("the Licensee") enter into this license agreement ("the agreement") effective on the \_\_\_\_ day of \_\_\_\_\_, 2004, upon the following terms and conditions:

### I. PURPOSE OF THE AGREEMENT

The Licenser grants to Licensee permission to use that part of Davis Avenue which is owned by the Licenser for the purpose of using as a parking facility, or part of a parking facility, as part of the MacDonnell Elementary School, which part of the street is described as a

A 20' wide section of Davis Avenue of 0.0291 acres adjacent to Blocks 255 and 274, Western Division, City of Laredo, which is described by metes and bounds on **Exhibit A** and is shown on survey on **Exhibit B**, both attached hereto.

Licensee agrees to operate and maintain any construction permitted by this agreement in compliance with all applicable City of Laredo, Webb County, State of Texas, and/or federal police, traffic, building, health and safety ordinances, laws and regulations, now or hereafter existing while this agreement is in effect.

### II. ANNUAL FEE

Licensee shall pay annually a fee of \$1.00, the first annual payment to be made on or before the execution of this license agreement, and on or before each anniversary date thereafter.

### III. LICENSOR'S PRIMARY RIGHT TO LICENSED PROPERTY

This license agreement is made expressly subject and subordinate to the present and future right of the Licenser, its successors, assigns, lessees, grantees, and licensees, to construct, install, establish, maintain, use, operate and renew any public utilities or facilities, on, beneath or above the surface of the licensed property described in paragraph I; provided, however, that Licenser shall endeavor to ensure that such do not interfere with or destroy licensee's use of the licensed property, or any improvements placed thereon by the Licensee. But, in any case of an officially declared emergency, damage to or destruction of Licensee's property shall not be made the responsibility of the Licenser, its agents, contractors, officers or employees.

Nothing in this license agreement shall be construed to limit, in any way, the power of the Licenser to widen, alter, or improve the licensed property subject to this license agreement, pursuant to official action by the governing body of the City of Laredo, or its successors. The Licenser does agree, but not at expense of Licenser, to cooperate with licensee in effecting the relocation of Licensee's installations and improvements in the event of any such widening, alteration or



improvement of such licensed property by Licensor.

Notwithstanding any provision of this license agreement to the contrary, the Licensor retains the right to enter upon the licensed property, at any time and without notice to licensee, and assuming no obligation to Licensee, to remove any of the licensed improvements or alterations thereof, whenever such removal is deemed necessary by Licensor for (a) exercising Licensor's rights or duties with respect to the licensed property; (b) protecting persons or property of, or (c) the public health or safety with respect to the licensed property.

#### IV. INSURANCE

Licensee shall, at its sole expense, provide a commercial general liability insurance policy, written by an insurance company acceptable to Licensor and licensed to do business in the State of Texas, with a combined single limit of not less than \$500,000.00 which coverage may be provided in the form of a rider and/or endorsement to an already existing insurance policy. Such insurance coverage shall specifically name the Licensor, the City of Laredo, as an additional insured. This insurance coverage shall cover all perils arising from the activities of Licensee, its officers, employees, agents and/or contractors on the licensed property or related to this license agreement. Licensee shall not cause or permit any insurance to be cancelled or to lapse while this License agreement is in force. All insurance certificates shall include a clause to the effect that the policy shall not be cancelled, reduced, restricted, or otherwise limited, until forty five (45) days after the Licensor has received written notice as evidenced by a return receipt by registered or certified mail.

#### V. INDEMNIFICATION

Licensee hereby indemnifies, defends and holds harmless the Licensor, and its officers, agents and employees, from any against and all claims, suits, demands, judgments, expenses, including attorney fees, or any other liability, for personal injury, death or damage to any person or property which arises from, or is in any manner caused by, the Licensee's construction, maintenance or use of the licensed property.

#### VI. COMMENCEMENT

This license agreement shall begin on the effective date and continue thereafter for so long as the licensed property shall be used for the purpose set forth herein, or unless terminated under Paragraph VII (termination by notice).

#### VII. TERMINATION BY ACTION OF EITHER PARTY

A. Termination by Licensee: This license agreement may be terminated by the Licensee by providing thirty (30) days' written notice of termination to the Licensor. The Licensee may remove its installations on the licensed property during that 30 day notice period. Any installation not removed by Licensee within the 30 days notice period shall be the property of the Licensor.

**B. Termination by Licensors:**

This license agreement may be revoked at any time by resolution of the City Council of the City of Laredo [Licensor] and after thirty (30) days' written notice of such resolution to the Licensee; or, alternatively,

4. Despite, 30 days' written notice to cure to Licensee, maintenance or alteration necessary to alleviate a danger to the public has not been made by Licensee; or

5. Licensee fails to comply with the terms and conditions of this license agreement, including, but not limited to, insurance requirements, license fee requirements, consent requirements.

**VIII. NOTICE TO PARTIES**

All notices required by this license agreement to be given by one party to another shall be delivered, by certified mail, return receipt requested, and addressed to the respective party as follows:

TO THE LICENSOR:     City Manager  
                             City of Laredo  
                             1110 Houston  
                             Laredo, Texas 78040

TO THE LICENSEE:     The Superintendent  
                             Laredo Independent School District  
                             1702 Houston  
                             Laredo, Texas 78040

**IX. LAW APPLICABLE**

This license agreement shall be governed by the laws of the State of Texas. If any part of this license agreement is held to be invalid, then the remaining parts shall be enforced to the extent possible, consistent with the intent of the parties as evidenced by this license agreement.

**X. VENUE**

Venue for any lawsuit arising out of this license agreement will be in Webb County, Texas.

SIGNED, in duplicate originals, on this the \_\_\_ day of \_\_\_\_\_, 2004

**LICENSOR  
CITY OF LAREDO**

By: \_\_\_\_\_  
Larry Dovalina  
City Manager

**LICENSEE  
LAREDO INDEPENDENT SCHOOL DISTRICT**

By: \_\_\_\_\_  
R. Jerry Barber, Ed.D.  
Superintendent

STATE OF TEXAS

COUNTY OF WEBB

BEFORE ME, the undersigned authority, on this day personally appeared LARRY DOVALINA, City Manager of the City of Laredo, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes, consideration and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public, State of Texas



STATE OF TEXAS

COUNTY OF WEBB

BEFORE ME, the undersigned authority, on this day personally appeared R. JERRY BARBER, Ed.D., Superintendent of Laredo Independent School District, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes, consideration and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**

Angelo Ferrazzano  
Real Estate Division  
2<sup>nd</sup> Floor-City Hall  
1110 Houston  
Laredo, Texas 78040

**METES AND BOUND DESCRIPTION**

0.291 ACRES (12,675.96 SQ. FT.) ADJACENT TO BLOCK 274 AND BLOCK 255, WESTERN  
DIVISION OUT OF DAVIS AVE., CITY OF LAREDO, WEBB COUNTY, TEXAS

**BEING A 0.291 ACRE (12,675.96 SQ. FT.) TRACT OF LAND OUT OF DAVIS  
AVE. RIGHT-OF-WAY, WESTERN DIVISION, CITY OF LAREDO, WEBB  
COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:**

**BEGINNING** at a ½" iron rod set marking the intersection of the south right-of-way line  
of Garcia St. and the west right-of-way line of Davis Ave., and also marking the northeast  
corner of said Block 274;

**THENCE** N 90° 00' 00" E 1.00 feet to a ½" iron rod set marking the P.C. of a  
circular curve to the right;

**THENCE** along said circular curve to the right with following parameters:

Radius = 20.00  
Length = 31.42  
Tangent = 20.00  
Delta = 90°00'00"

to a ½" iron rod set;

**THENCE** S 00° 00' 00" W 572.05 feet to a ½" iron rod set marking the P.C. of a  
circular curve to the right;

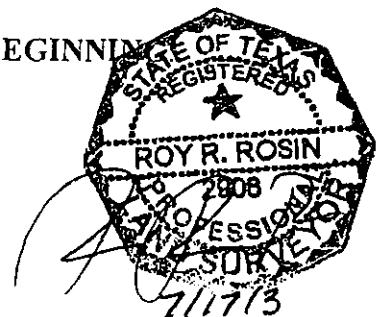
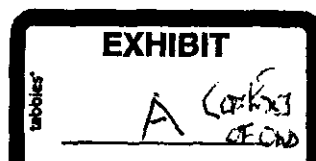
**THENCE** along said circular curve to the right with the following parameters:

Radius = 20.00  
Length = 31.42  
Tangent = 20.00  
Delta = 90°00'00"

to a ½" iron rod set;

**THENCE** N 90° 00' 00" W 1.00 feet to a ½" iron rod set marking the intersection  
of the north right-of-way line of Coke St. and the west right-of-way line of Davis Ave.,  
and also marking the southeast corner of said Block 274;

**THENCE** N 00° 00' 00" W 612.05 feet to the POINT OF BEGINNING



2

ELEVATION: 418.26  
 60-0 NAL. W POWER OF E  
 AT SOUTHWEST CORNER  
 OF DAVE'S S. DRIVE

[illegible]

REVISED SITE PLAN  
SCALE: 1" = 50'

PROPO BUILDING  
FINISHED FLOOR ELEV. 418.50  
REFER TO ARCHITECTURAL PLANS

TRACT 1  
0.324 ACRES (14,122.123 SQ. FT.)  
OUT OF BENAVIDES STREET

36-  
BEN

## COUNCIL COMMUNICATION

<b>DATE</b> 04-05-04	<b>SUBJECT: FINAL READING OF ORDINANCE #2004-O-078</b> Authorizing the City Manager to convey to the Laredo Independent School District, for the consideration of \$19,300.00, a tract of land being the section of Plum Street between Logan and Tilden Avenues, with reservation of the tract as a drainage and utility easement; and providing for effective date.	
<b>INITIATED BY:</b> Larry Dovalina City Manager		<b>STAFF SOURCE:</b> Angelo Ferrazzano Real Estate Manager
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004, this ordinance was introduced by the City Council.		
<b>BACKGROUND:</b> The Laredo Independent School District is in the process of expanding Tarver Elementary School campus, in connection with which, the District requests the City to sell them that part of Plum Street between Logan and Tilden Avenues.  The parcel was appraised at \$38,600.00 but due to the City retaining the entire parcel as a drainage and utility easement, as staff stated to be necessary, the selling price is reduced by 50% to \$19,300.00.		
<b>FINANCIAL IMPACT:</b> Sale of land. General Fund Acct. 101-0000-374-1101		
<b>COMMITTEE RECOMMENDATION:</b> N/A		<b>STAFF RECOMMENDATION:</b> Staff recommends passage of Ordinance.

**ORDINANCE NO. 2004-O-078**

AUTHORIZING THE CITY MANAGER CONVEY TO THE LAREDO INDEPENDENT SCHOOL DISTRICT, FOR THE CONSIDERATION OF \$19,300.00, A TRACT OF LAND BEING THE SECTION OF PLUM STREET BETWEEN LOGAN AND TILDEN AVENUES, WITH RESERVATION OF THE TRACT AS A DRAINAGE AND UTILITY EASEMENT; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the Laredo Independent School District is in the process of expanding the Tarver Elementary School campus; and

WHEREAS, in that regard, the Laredo Independent School District has requested that the City of Laredo sell to it the above-referenced section of Plum Street between Logan and Tilden Avenues which was closed by City Council with the passage of an ordinance dated October 16, 1975; and

WHEREAS, the said parcel has been appraised at the value of \$38,600.00; and

WHEREAS, it is in the best interest of the City of Laredo to convey the above-referenced parcel to the Laredo Independent School District while reserving to the City an easement for all utilities over the entire parcel, with reduction in price for the tract by 50% to \$19,300.00 in view of that reservation of the drainage and utility easement over the entire tract.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

1. It authorizes the City Manager to convey to Laredo Independent School District, for the sum of \$19,300.00 that section of Plum Street between Logan and Tilden Avenues, which is described by metes and bounds on Exhibit A and shown on survey Attached as Exhibit B, but reserving in the conveyance the entire tract as a drainage and utility easement.

2. This Ordinance shall become effective upon passage thereof.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON  
THIS THE \_\_\_\_\_ DAY OF MARCH, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME L. FLORES  
CITY ATTORNEY

By: \_\_\_\_\_

ANTHONY C. McGETTRICK  
ASST. CITY ATTORNEY



# CITY OF LAREDO

## ENGINEERING DEPARTMENT

### METES AND BOUNDS DESCRIPTIONS FOR PLUM STREET RIGHT-OF-WAY (LOGAN AVENUE – TILDEN AVENUE)

A TRACT OF LAND CONTAINING 15,433.46 sq. ft. (0.3543 of an Acre), out of the Plum Street right-of-way between the east right-of-way line of Logan Avenue and the west right-of-way line of Tilden Avenue, Eastern Division, as per the City of Laredo Original Land Grant recorded in Volume 7, Page 15, Webb County, Texas, Plat Records; said 15,433.46 sq. ft. tract of land being more particularly described by metes & bounds as follows:

**BEGINNING** at a set  $\frac{1}{2}$ " diameter iron rod for the northwest corner of Block No. 360, Eastern Division, City of Laredo, Webb County, Texas, for the **POINT-OF-BEGINNING** and southwest corner hereof;

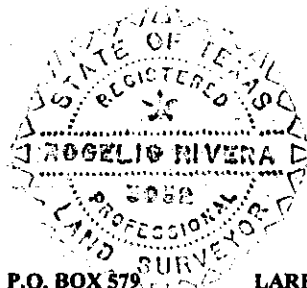
**THENCE**, North, along the east right-of-way line of Logan Avenue, also being the west boundary line of this tract of land, a distance of 55.56 feet to a set  $\frac{1}{2}$ " diameter iron rod on the north right-of-way line of Plum Street, also being the southwest corner of Block No. 377, Eastern Division, City of Laredo, Webb County, Texas, for the northwest corner hereof;


**THENCE**, East, along the south boundary line of said Block No. 377, also being the north right-of-way line of Logan Avenue, and the north boundary line of this tract of land, a distance of 277.78 feet to a set  $\frac{1}{2}$ " diameter iron rod on the west right-of-way line of Tilden Avenue, also being the southeast corner of said Block No. 377, for the northeast corner hereof;

**THENCE**, South, along the west right-of-way line of Tilden Avenue, also being the east boundary line of this tract of land, a distance of 55.56 feet to a set  $\frac{1}{2}$ " diameter iron rod on the south right-of-way line of Plum Street, also being the northeast corner of said Block No. 360, for the southeast corner hereof;

**THENCE**, West, along the north boundary line of said Block No. 360, also being the south right-of-way line of Plum Street and the south boundary line of this tract of land, a distance of 277.78 feet to the **POINT-OF-BEGINNING** of this tract of land, containing 15,433.46 sq. ft. of land in the Eastern Division of the City of Laredo, Webb County, Texas.

WITNESS my hand and seal this 19th day of March, 2004.



  
Rogelio Rivera, P.E., City Engineer  
R.P.L.S. Texas No. 3052

TILDEN AVE.  
(R. O. W. 55.56')

SET P.K. Nail

South 55.56'

LOT 5

Property Owners of block  
No. 377, E. D. Laredo Independent  
School District as per Deed Recorded  
In Volume 282, Pages 609-10,  
D.R.W.C.T.

LOT 6

LOT 7

Property Owners of  
block No. 360, E.D.: Laredo  
Independent School District

BLK. No. 377, E. D.

LOT 7

BLK. No. 360, E. D.

LOT 8

LOT 6

East 277.78'

AREA = 15,433.46 S.F. (0.3543 OF AN ACRE)

PLUM ST.  
(R. O. W. 55.56')

West 277.78'

North 55.56'

Point - of - Beginning

The north west corner of block  
No. 360, Eastern Division,  
City of Laredo, Webb County, Tx.

LOGAN AVE.

(R. O. W. 55.56')

SET P.K. Nail

**Basis for Bearings:**

The bearings for this survey were  
based by taking the east R.O.W. Line  
of Logan Avenue as being true north.

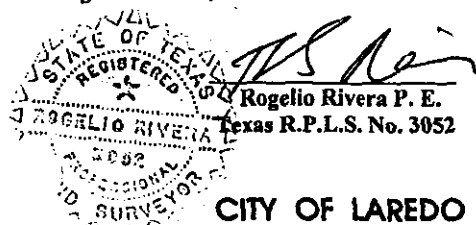
**Reference Points (Monumentation used):**

1. Cedar Ave. @ Kearney St.-Found Old conc. monument
2. Cedar Ave. @ Reynolds St.-Found P.K. Nail

**LEGEND:**

- ⊙ SET 1/2" x 18" Diam. Iron Rod
- △ SET P.K. Nail on Asphalt

I, Rogelio Rivera, Registered Professional Land Surveyor  
of the State of Texas do hereby certify that the foregoing  
is true and correct and was prepared from an actual  
survey on the ground and from record information made  
under my supervision during the period from March. 12,  
through March 19, 2004.



CITY OF LAREDO

Engineering Department  
1110 HOUSTON ST. LAREDO, TX. 78040



SCALE: 1" = 50'

**SURVEY OF**

A 15,433.46 sq.ft. (0.3543 of an Acre)  
Tract of land, out of Plum Street  
Between the East R.O.W. line of  
Logan Avenue and the West R.O.W.  
Line of Tilden Avenue.  
EASTERN DIVISION  
CITY OF LAREDO  
WEBB COUNTY, TEXAS.

BY:	DATE:
DRAWN: J. SANCHEZ	03-16-2004
CHECKED: R. R. RAMIREZ	03-16-2004



### COUNCIL COMMUNICATION

<b>DATE:</b> 4-5-04	<b>SUBJECT: FINAL READING OF ORDINANCE NO. 2004-O-079</b> Authorizing the City Manager to execute a Foreign-Trade Zone Operations Agreement between the City of Laredo, as Zone Grantee of Foreign-Trade Zone No. 94, and Transmaritime, Inc., as Zone Site Operator, for approximately one (1) acre of activated space located at 22219 Mines Road, Foreign-Trade Zone Site 8 for three (3) years commencing on March 1, 2004 and ending on February 28, 2007. Said agreement provides that activation, administration and transaction fees be paid to the City; providing for an effective date.	
<b>INITIATED BY:</b> Cynthia Collazo Assistant City Manager		<b>STAFF SOURCE:</b> Jose L. Flores Airport Director
<b>PREVIOUS ACTION:</b> On March 29, 2004, Ordinance was introduced by City Council, and Staff was instructed to proceed.		
<b>BACKGROUND:</b> A Foreign-Trade Zone is a secured specialized area, in or adjacent to the U. S. Port of Entry, which is considered to be outside the Customs Territory of the United States. Both foreign and domestic merchandise may be admitted to a Zone with no duty paid on the foreign merchandise unless and until it leaves the Zone for domestic consumption. If the merchandise is exported, no duties are paid to U. S. Customs.  Transmaritime, Inc., owns approximately twenty three (23) acres located at 22219 Mines Road and in close proximity to the Columbia Solidarity Bridge.  Transmaritime, Inc., will be required to post a FTZ Operators Bond with the U. S. Customs Service in the amount of \$100,000, a Foreign-Trade Zone Indemnification Bond (Grantee/Operator) in the amount of \$100,000 naming the City of Laredo, Grantee of FTZ No. 94, as Obligee, as well as provide Public Liability Insurance in the amount of One Million Dollars for the benefit of the City of Laredo, and naming the City of Laredo as additional insured.		
<b>FINANCIAL:</b> The Operations Agreement provides the following fees: a) \$871.20 Account No. 242-0000-361-1065 (Initial activation in the amount of two cents (\$0.02) per square foot of activated space with a minimum of \$500 and a Maximum of \$5,000), and b) \$1,306.80 per year Account No. 242-0000-361-1065 (Annual Administration Fee of three cents (\$0.03) per square foot of activated space), and c) An Activity Fee of \$2.00, Account No. 242-0000-361-1065, for the following U. S. Customs transactions (CF 214, CF 216 or their equivalent).		
<b>COMMITTEE RECOMMENDATION:</b> The Airport Advisory Committee recommends approval.		<b>STAFF RECOMMENDATION:</b> Recommend that the City Manager be authorized to execute a Foreign-Trade Zone Operations Agreement with Transmaritime, Inc.

ORDINANCE NO. 2004-O-079

AUTHORIZING THE CITY MANAGER TO EXECUTE A FOREIGN-TRADE ZONE OPERATIONS AGREEMENT BETWEEN THE CITY OF LAREDO, AS ZONE GRANTEE OF FOREIGN-TRADE ZONE NO. 94, AND TRANSMARITIME, INC., AS ZONE SITE OPERATOR, FOR APPROXIMATELY ONE (1) ACRE OF ACTIVATED SPACE LOCATED AT 22219 MINES ROAD, FOREIGN-TRADE ZONE SITE 8 FOR THREE (3) YEARS COMMENCING ON MARCH 1, 2004 AND ENDING ON FEBRUARY 28, 2007. SAID AGREEMENT PROVIDES THAT ACTIVATION, ADMINISTRATION AND TRANSACTION FEES BE PAID TO THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Airport Director recommends that the City Council approve the proposed Foreign-Trade Zone Operations Agreement between the City of Laredo, as Zone Grantee of Foreign-Trade Zone No. 94, and Transmaritime, Inc., as Zone Site Operator, for approximately one (1) acre of activated space located at 22219 Mines Road, Foreign-Trade Zone Site 8 for three years commencing on March 1, 2004 and ending on February 28, 2007, as a contract and in furtherance of the development of the Laredo International Airport and as a support to the maintenance and operation of the Laredo International Airport;

WHEREAS, said contract is in the best interest of the Airport and recommends that the City Council of the City of Laredo approve the proposed Foreign-Trade Zone Operations Agreement; and

WHEREAS, the City Council of the City of Laredo agrees with same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The City Manager be and is hereby authorized to execute a Foreign-Trade Zone Operations Agreement between the City of Laredo, Zone Grantee of Foreign-Trade Zone No. 94 and Transmaritime, Inc., as Zone Site Operator, for approximately one (1) acre of activate space located at 22219 Mines Road, Foreign-Trade Zone Site 8 for three (3) years commencing on March 1, 2004 and ending on February 28, 2007, a copy of which contract is attached hereto as Exhibit A, and incorporated herein as if set out at length.

Section 2: This Ordinance shall become effective upon passage hereof.

PASSED BY THE CITY COUNCIL AND APROVED BY THE MAYOR ON  
THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:  
JAIME L. FLORES  
CITY ATTORNEY

BY: Valeria M. Acevedo  
VALERIA M. ACEVEDO  
ASSISTANT CITY ATTORNEY

## COUNCIL COMMUNICATION

<b>DATE:</b> 04/5/2004	<b>SUBJECT: FINAL READING OF ORDINANCE #2004-O-080</b> Closing as a public easement a 231.45 sq. ft. (5' x 46.29') parcel of land, more or less, out of the 1300 block of Green Street between Stone and Loring Avenues, said parcel of land is being encroached upon by the improvements of the abutting property being Lot 9, Block 714, Eastern Division, City of Laredo, County of Webb, described in attached "Exhibit A" and authorizing the sale of the "Surface Only" of said parcel of land at the market value of \$556.00 and authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to Patricia Hernandez and providing for an effective date.	
<b>INITIATED BY:</b> CYNTHIA COLLAZO Asst. City Manager		<b>STAFF SOURCE:</b> ANGELO FERRAZZANO Real Estate Manager
<b>PREVIOUS COUNCIL ACTION:</b> On March 29, 2004, this ordinance was introduced by the City Council.		
<b>BACKGROUND:</b> City Council Resolution No. 95-O-019 authorizes the sale and/or lease of street right-of-way in cases where encroachments onto public right-of-way create undue legal and financial hardships upon certain property owners.  Ms. Patricia Hernandez, owner of Lot 9, Block 714, Eastern Division, has requested that the City consider selling her a 231.45 sq. ft. (5' x 46.29') parcel of land, more or less, out of the 1300 block of Green Street between Stone and Loring Avenues, which is being encroached upon by the improvements located on the public right-of-way. Ms. Hernandez is experiencing a hardship in selling her property to a potential buyer because of a title defect caused by the encroachment.  The Real Estate Division has reviewed this request and recommends the closing and conveyance of this parcel. City staff finds this request feasible, and if approved by the City Council, will be in compliance with the City of Laredo's Long Range Thoroughfare Plan.  Memorandums were circulated to City Departments and utility companies and no objections were noted. Based on a recent appraisal report, the market value of the above mentioned parcel is \$556.00 (231.45 sq. ft. @ \$2.40 per sq. ft.). Ms. Hernandez has accepted the City's offer to purchase the "Surface Only" of the above mentioned parcel at the total market value of \$556.00.		
<b>FINANCIAL IMPACT:</b> Sale of land. General Fund Account #101-0000-374-1101.		
<b>COMMITTEE RECOMMENDATION:</b> N/A		<b>STAFF RECOMMENDATION:</b> Recommends passage of this Ordinance.

**ORDINANCE NO. 2004-O-080**

CLOSING AS A PUBLIC EASEMENT A 231.45 SQ. FT. (5' X 46.29') PARCEL OF LAND, MORE OR LESS, OUT OF THE 1300 BLOCK OF GREEN STREET BETWEEN STONE AND LORING AVENUES, SAID PARCEL OF LAND IS BEING ENCROACHED UPON BY THE IMPROVEMENTS OF THE ABUTTING PROPERTY BEING LOT 9, BLOCK 714, EASTERN DIVISION, CITY OF LAREDO, COUNTY OF WEBB, DESCRIBED IN ATTACHED "EXHIBIT A" AND AUTHORIZING THE SALE OF THE "SURFACE ONLY" OF SAID PARCEL OF LAND AT THE MARKET VALUE OF \$556.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTIVELY CONVEY FEE SIMPLE TITLE TO PATRICIA HERNANDEZ AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 2, 1995, City Council passed Resolution No. 95-R-019 incorporating into the Street Closing/Sales Policy Handbook, as Section 8, specific provision for the sale and/or lease of street right-of-way where encroachments upon public right-of-way are in existence and authorizing the City Manager, by a separate ordinance to execute all necessary documents for the conveyance; and

WHEREAS, Patricia Hernandez has requested that the City consider the conveyance of a 231.45 sq. ft. (5' x 46.29') parcel of land, more or less, out of the 1300 block of Green Street between Stone and Loring Avenues being encroached upon by the improvements of the abutting property being Lot 9, Block 714, Eastern Division, City of Laredo, County of Webb, Texas; and

WHEREAS, said encroachment is causing undue hardship to the owner attempting to clear title defects to her property in order to convey her property to a potential buyer; and

WHEREAS, based on an appraisal report submitted on the abutting property being Lot 9, Block 714, Eastern Division, by a certified real estate appraiser, the market value of the above-mentioned parcel of land has been determined to be \$556.00; and

WHEREAS, the Real Estate Division has processed the request and finds that the closing and conveying of the above-mentioned parcel is in accordance with the provisions of the Street Closing/Sales Policy Handbook, as amended; and

WHEREAS, Patricia Hernandez is willing and able to purchase the above-mentioned parcel of land at the market value of \$556.00; and,

WHEREAS, the City Council finds that it is in the best interest of the City of Laredo to close as a public easement the above mentioned parcel out of the 1300 block of Green Street between Stone and Loring Avenues and authorize the City Manager to execute all documents to effectively convey fee simple title to Patricia Hernandez.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

1. A 231.45 sq. ft. (5' x 46.29') tract of land, more or less, out of the 1300 block of Green Street between Stone and Loring Avenues being encroached upon by the improvements of the abutting property being Lot 9, Block 714, Eastern Division, City of Laredo, County of Webb, Texas, described in attached "Exhibit A", is hereby closed as a public easement.
2. That the sale of the "Surface Only" of said parcel of land at the market value of \$556.00 is hereby authorized.
3. The City Manager is hereby authorized to execute all necessary documents to effectively convey fee simple title to Patricia Hernandez.
4. This ordinance shall become effective upon passage thereof.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR  
ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
Mayor

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
City Secretary

APPROVED AS TO FORM:

Jaime L. Flores  
City Attorney

By:   
\_\_\_\_\_  
ANTHONY McGETTRICK  
Asst. City Attorney

**LEGAL DESCRIPTION  
231.45 SQUARE FEET  
(0.0053 ACRES)  
CITY OF LAREDO  
WEBB COUNTY, TEXAS  
10-09-03**

A parcel of land containing 231.45 square feet (0.0053 Ac.) more or less, being out, within and part of the Green Street Right-of Way limits, Eastern Division, according to the City of Laredo Plat Book Records, Webb County Texas; this 231.45 square foot (0.0053 Ac.) parcel of land being more particularly described by metes and bounds as follows, to-wit:

**BEGINNING** at the northwest corner of lot 9, block 714, Eastern Division, City of Laredo, being the intersecting point of the south Right-of-Way line of said Green Street with the east Right-of Way line of Stone Avenue, with said northwest corner being the southwest corner of this parcel of land.

**THENCE** North, 5.00 feet, along the west fence line of this parcel of land, to the northwest corner hereof;

**THENCE** East, 46.29 feet, along the north fence line of this parcel of land, to the northeast corner hereof;

**THENCE** South, 5.00 feet, being along the east boundary line of this parcel of land, to a point on the south Right-of-Way boundary line of aforesaid Green Street and the southeast corner hereof;

**THENCE** West., 46.29 feet, along said south boundary line of said Green Street, same line being the north boundary line of a foresaid lot 9, block 714, also being the south boundary line of this parcel of land to the **POINT OF BEGINNING**.

  
Cesareo R. Porras P.E., R.P.L.S.



# GREEN STREET

EXIST. CURB/GUTTER

EAST 46.29'

NORTH

2.58' (ENCROACHMENT)

WEST 46.29'

2.76' (ENCROACHMENT)

SOUTH R.O.W. LINE

SOUTH

3.10'

EXIST. HOUSE

LOT 9  
BLOCK 714

LOT 7

COVER PORCH

EXIST. CYCLONE FENCE

S ONE AVENUE

5' SIDEWALK

NORTH



SCALE 1"=10'  
DATE 10-09-03

ADDRESS: 1301 GREEN ST.

FIELDBOOK #117

**SURVEY OF A**  
231.45 SQUARE FOOT PARCEL  
OF LAND OUT OF THE  
GREEN STREET RIGHT-OF-WAY  
EASTERN DIVISION  
CITY OF LAREDO  
WEBB COUNTY, TEXAS

## SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND THIS

9TH DAY OF OCT. 2003

CESAREO R. PORRAS, R.P.L.S. TEXAS REG. NO. 3481



**PORRAS ENGINEERING CO.**  
P.O. BOX 1870 CONSULTING ENGINEERS - SURVEYORS OFFICE (956) 724-3087  
78044 LAREDO, TEXAS FAX (956) 724-8208

Not to scale - For illustration purposes only.

☐ Proposed Street Closure



## COUNCIL COMMUNICATION

<b>DATE:</b> 04/05/2004	<b>SUBJECT: FINAL READING OF ORDINANCE 2004-O-081</b> <b>SETTING THE MAXIMUM SPEED LIMIT ON THAT PORTION OF FM 1472 WITHIN THE CITY LIMITS OF LAREDO, WEBB COUNTY, TEXAS, FROM 50 MPH TO 45 MPH FROM MILEPOINT 14.2 TO MILEPOINT 13.9 AND FROM 55 MPH TO 45 MPH FROM MILEPOINT 13.9 TO 13.8 AS DEFINED IN THE TEXAS DEPARTMENT OF TRANSPORTATION CONTROL SECTION MAP 2150-04-040, TO BE IN EFFECT DURING CONSTRUCTION PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNS TO INDICATE SPEED CHANGES IN THE DESIGNATED AREAS AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.</b>
<b>INITIATED BY:</b> Larry Dovalina, City Manager	<b>STAFF SOURCE:</b> Roberto Murillo, P.E., Traffic Safety Director
<b>PREVIOUS COUNCIL ACTION:</b> None.	
<b>BACKGROUND:</b> The Texas Department of Transportation is requesting construction speed changes on FM 1472 to improve traffic flow and safety during reconstruction for a section of roadway. The scope of this work consists of:  Lengthening the left turn lane along FM 1472 (heading Northbound) at Interamerica Boulevard, and adding a right turn lane along FM 1472 (heading Southbound) at Interamerica Boulevard.  The project limits for this work are as follows:  FM 1472 from MP 13.8 to MP 13.9 (MP 13.8 is 660 feet South of the intersection of <u>Muller Blvd. with FM 1472/Mines Rd.</u> ) (MP 13.9 is 430 feet North of the intersection of <u>Interamerica Blvd. with FM 1472/Mines Rd.</u> ) and FM 1472 from MP 13.9 to 14.2  Upon approval of this ordinance, TxDOT will be responsible for the installation of the new speed limit signs to be in effect during construction of the roadway. Speed limits revert back to the original speed limits upon completion of project.	
<b>FINANCIAL IMPACT:</b> None.	
<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> Staff recommends approval of this ordinance.

**SETTING THE MAXIMUM SPEED LIMIT ON THAT PORTION OF FM 1472 WITHIN THE CITY LIMITS OF LAREDO, WEBB COUNTY, TEXAS, FROM 50 MPH TO 45 MPH FROM MILEPOINT 14.2 TO MILEPOINT 13.9 AND FROM 55 MPH TO 45 MPH FROM MILEPOINT 13.9 TO 13.8 AS DEFINED IN THE TEXAS DEPARTMENT OF TRANSPORTATION CONTROL SECTION MAP 2150-04-040, TO BE IN EFFECT DURING CONSTRUCTION PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNS TO INDICATE SPEED CHANGES IN THE DESIGNATED AREAS AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

**WHEREAS, V.A.T.C.S., Texas Transportation Code 545.356(b) authorizes the City Council to alter the speed limits of any highway or street within the incorporated area of the City; and**

**WHEREAS, The Texas Department of Transportation (TXDOT) is requesting construction speed zone limit changes of 45 MPH, for FM 1472 southbound lanes, to be in effect during construction of the section of roadway; and**

**WHEREAS, TxDOT will be responsible for the installation of speed limit signs on FM 1472 to designate the new speed limits to be in effect during construction of roadway; and**

**WHEREAS, the implementation of speed limit changes on the existing FM 1472 is a positive step in securing the safety of our citizens during construction of the roadway; and**

**WHEREAS, the Federal Highway Administration has mandated that all construction speed limit changes be enforced; and**

**WHEREAS, the City Council of the City of Laredo supports TxDOT's efforts to request the construction speed limit changes on FM 1472 and is of the same opinion;**

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**SECTION 1:** That the maximum speed limit on that portion of FM 1472 within the city limits of Laredo, Webb County, Texas from 50 MPH to 45 MPH from milepoint 14.2 to milepoint 13.9 and from 55MPH to 45 MPH from milepoint 13.9 to milepoint 13.8 as defined in the TxDOT control section map 2150-04-040, to be in effect during construction;

**SECTION 2:** The City Manager and the Chief of Police be and are hereby authorized to take the necessary steps to carry out this ordinance;

**SECTION 3:** This ordinance shall be published one time in an official newspaper in the City of Laredo;

**SECTION 4:** This ordinance shall take effect at expiration of thirty (30) days after adoption, provided there has been publication as provided in Section 2.09 (D) of the Laredo City Charter, and shall supersede any prior ordinance for the sections described.

**APPROVED BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.**

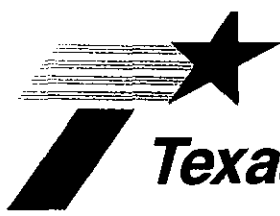
\_\_\_\_\_  
**Elizabeth G. Flores**  
**Mayor**

**Attest:**

\_\_\_\_\_  
**Gustavo Guevara, Jr.**  
**City Secretary**

**APPROVED AS TO FORM:**  
**Jaime L. Flores**  
**City Attorney**

**By:** \_\_\_\_\_  
**Jerry Cain**  
**Asst. City Attorney**

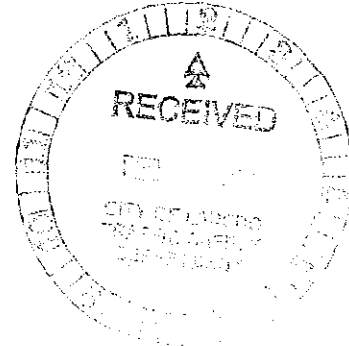


# Texas Department of Transportation

1817 BOB BULLOCK LOOP • LAREDO, TX 78043 • (956) 712-7400 FAX (956) 712-7401

February 26, 2004

Mr. Roberto Murillo, P. E.  
Traffic Safety Director  
City of Laredo  
2800 E. Saunders  
Laredo, TX 78041



RE: Temporary Construction Speed Zoning  
County: Webb  
Highway: FM 1472  
City: Laredo  
Control Sec: 2150-04-040, etc

Dear Mr. Murillo:

As per our previous conversation, attached is the "Request for Construction Speed Zone" form requesting construction speed changes. The construction speed zone that shall govern for the roadway shall be as follows:

Reduce from 50 MPH to 45 MPH from Milepoint 14.2 to Milepoint 13.9

Reduce from 55 MPH to 45 MPH from Milepoint 13.9 to Milepoint 13.8

Please submit this request to the City Council during your next meeting so that you may proceed to have a city ordinance passed. It should be stated in the ordinance that the speed change is in effect only during construction and will terminate when construction is finished. Please include the speed zone as defined here in your ordinance, and upon approval, please provide us with a copy of the city ordinance for our files.

If further clarification is needed, please call Randy Aguilar at (956)712-7744.

Sincerely

Danny Magee, P. E.  
Director Transportation Operations

Attachment

cc Jose L. Delapass, Laredo Maintenance Supervisor  
Larry Dovalina, City Manager, City of Laredo

Route: Guillermo Dougherty, E.I.T., Transportation Operations  
Randy Aguilar, Transportation Operations

## Request for Construction Speed Zone

District: Laredo (22)

County: **Webb**

Highway No.: FM 1472

Pre-Construction Posted Speed: 50 & 55 MPH

Direction\*: Southerly

Proposed Construction Speed\*\*: 45 MPH

\* Show direction as northerly or southerly, etc., from beginning milepoint to end milepoint.

**\*\* If the work zone speed must be lowered more than 10 mph below the posted speed, attach documentation justifying the speed drop. For more information, see standard sheet for Work Zone Speed Limits.**

**Net Length of Each Section Outside of Incorporated Cities:**

**Section 1: 0.30 Mi**

Section 2: 0.10 Mi

### Section 3:

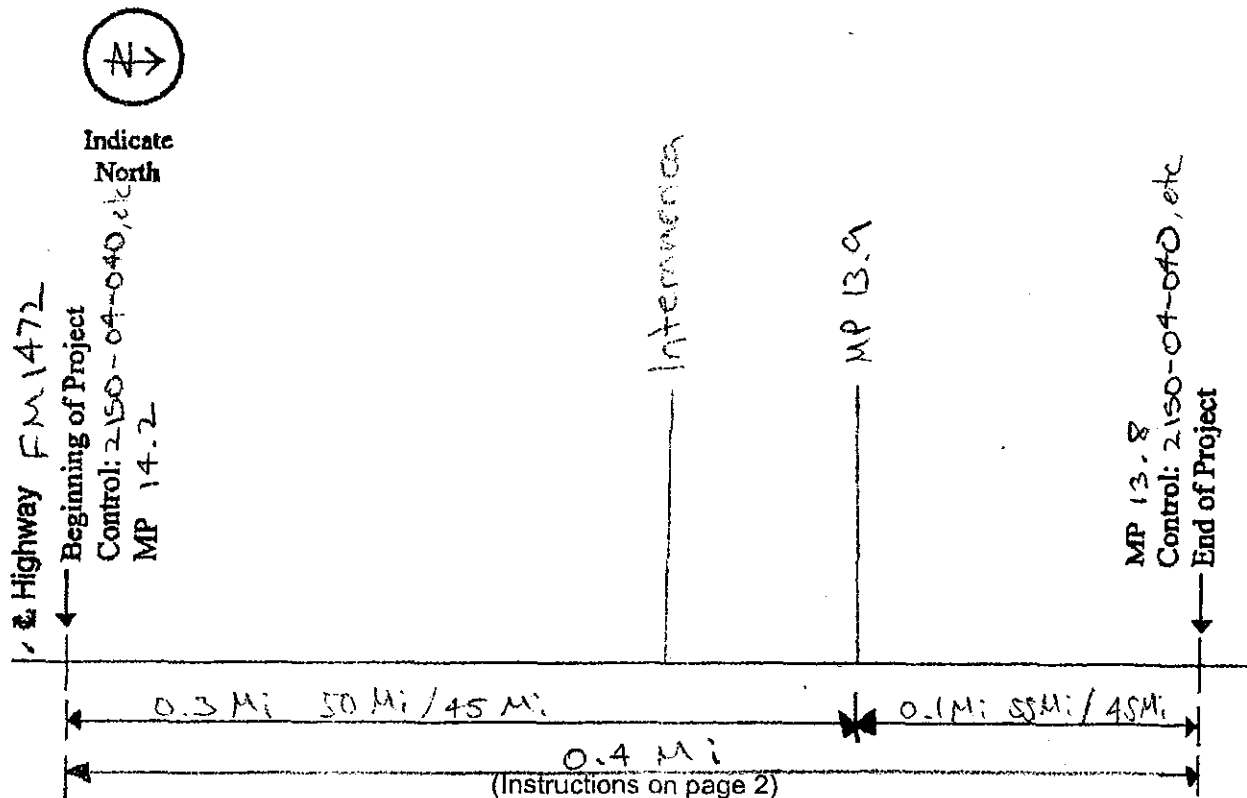
Section 4:

**Control and Section Number at Both Beginning and End of Each Section:**

Section	Beginning				End			
	Milepoint	Cont.	Sec.	Job	Milepoint	Cont.	Sec.	Job
1	14.2	2150	04	040	13.9	2150	04	040
2	13.9	2150	04	040	13.8	2150	04	040
3								
4								

Project No.: CSJ 2150-04-040, etc

**Draw Sketch Below:**



### COUNCIL COMMUNICATION

<b>DATE:</b>  04/05/04	<b>SUBJECT:</b> Final Reading Ordinance #2004-O-082  Amending the City of Laredo's FY 2003-2004 Annual Budget by authorizing the addition of one (1) Administrative Assistant I position for the South Texas 9-1-1 Regional Administration. Funding is available in the 9-1-1 Regional Fund, Administration Division.
<b>INITIATED BY:</b>  Larry Dovalina City Manager	<b>STAFF SOURCE:</b>  Jessica L. Hein Assistant to the City Manager
<b>PREVIOUS COUNCIL ACTION:</b>  Public hearing was held and Ordinance was introduced on March 29, 2004.	
<b>BACKGROUND:</b>  The City of Laredo took over administration of 9-1-1 for the south Texas region on March 1, 2004. Funding for personnel is authorized by the Commission on State Emergency Communications in the FY 04 budget.	
<b>FINANCIAL:</b>  Funding is available in 258-1260-521-1110.	
<b>COMMITTEE RECOMMENDATION:</b>  Not applicable.	<b>STAFF RECOMMENDATION:</b>  Approval of this Ordinance.

**ORDINANCE NO. 2004-O-082**

**AMENDING THE CITY OF LAREDO'S FY 2003-2004 ANNUAL BUDGET  
BY AUTHORIZING THE ADDITION OF ONE (1) ADMINISTRATIVE  
ASSISTANT I POSITION FOR THE SOUTH TEXAS 9-1-1 REGIONAL  
ADMINISTRATION. FUNDING IS AVAILABLE IN THE 9-1-1 REGIONAL  
FUND, ADMINISTRATION DIVISION.**

**Whereas**, the City of Laredo previously adopted the budget for fiscal year 2003-2004; and

**Whereas**, the Commission on State Emergency Communications approved the budget for the south Texas region for FY 04 & 05; and

**Whereas**, personnel expenses for Administration of the 9-1-1 program for the region will be reimbursed by the Commission on State Emergency Communications on a quarterly basis.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:**

**Section 1:** the City of Laredo's FY 2003-2004 Annual Budget is hereby amended by adding one (1) full-time Administrative Assistant I position to be funded by the 9-1-1 Regional Fund, Administration Division.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE  
\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
ELIZABETH G. FLORES  
MAYOR

ATTEST:

\_\_\_\_\_  
GUSTAVO GUEVARA, JR.  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
~~JAIME E. FLORES~~  
CITY ATTORNEY



)

)

)

## COUNCIL COMMUNICATION

<b>DATE:</b>  4-05-2004	<b>SUBJECT: MOTION</b>  Consideration to award a contract to FMC Technologies, Inc. in the amount of \$281,105.00 for the repair and replacement of a portion of one Jetway Systems Passenger Bridge at the Laredo International Airport. Funding is available in the Airport Budget Storm and Wind Damage Account.
<b>INITIATED BY:</b> Cynthia Collazo Assistant City Manager	<b>STAFF SOURCE:</b> Jose L. Flores Airport Director
<b>PREVIOUS ACTION:</b> None	
<b>BACKGROUND:</b>  The wind storm of June 2, 2003 caused substantial damage to one Jetway System Passenger Bridge at the Laredo International Airport.  Sole source: FMC Technologies, Inc., Jetway Systems, is the manufacturer of Jetway brand passenger bridges and the supplier of Laredo's four passenger bridges. The scope of work, as per this request, includes replacing a section of the passenger bridge and salvaging several components. For example the Jetway Systems rotunda was not damaged by the wind storm and will be re-used, the A/C equipment and electrical auxiliary power units will be tested and if undamaged will be reused.  There are only two airport passenger bridge manufacturers in the nation and it is important to maintain one brand/type for commonality of repair parts, service, and maintenance.  The repair and partial replacement cost is being paid with TML Insurance proceeds.	
<b>FINANCIAL:</b> Funding is available in the TML Insurance Reimbursable Account.	
<b>COMMITTEE RECOMMENDATION:</b> The Airport Advisory Committee recommends approval.	<b>STAFF RECOMMENDATION:</b>  Award contract to FMC Technologies, Inc. in the amount of \$281,105.00.

)

)

)

**COUNCIL COMMUNICATION**

<b>DATE:</b> 04/05/04	<b>SUBJECT: MOTIONS</b> Consideration to reject the two bids received for contract FY04-053 for the purchase and planting of containerized grown trees and shrubs for the Chacon Creek Restoration Project due to the bids submitted exceeding the budget allocation and authorizing staff to solicit new bids. This contract required the contract vendor to clean and clear brush along the lowermost reach of Chacon Creek as well as plant approximately 15,000, one gallon trees and shrubs. The bid specifications will be modified to include provisions for the purchase of the trees and shrubs by the City and under separate contract the actual brush and debris removal and planting of these trees and shrubs. The trees and shrubs will be ordered in the spring for delivery to the City for planting in the fall. Funding is available in the Environmental Services Department budget.	
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Riazul Mia, Environmental Engineering Services Department Director Francisco Meza, Purchasing Agent
<b>PREVIOUS COUNCIL ACTION:</b> None.		
<b>BACKGROUND:</b> The City received two bids for awarding a contract for the purchase and planting of approximately 15,000 trees and shrubs plus brush and trash removal along the lowermost reach of Chacon Creek. The bids exceed the budget allocation for this project. The bid specifications will be modified to include provisions for the purchase of these one gallon, container grown trees and shrubs by the City and under separate contract the actual brush and debris removal and planting of these trees and shrubs. The trees and shrubs will be ordered in the spring for delivery to the City for planting in the fall.  Bid Summary J. R. Landscaping                      \$194,000.00 Nick Benavides                         \$325,000.00		
<b>FINANCIAL IMPACT:</b> Funding for this project is available in the Environmental Services Department budget. Chacon Creek Restoration Project Account Number: 249-3854-543-5500		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that all bids be rejected and new bids solicited.



# COUNCIL COMMUNICATION

<b>DATE:</b> 04/05/04	<b>SUBJECT: MOTIONS</b> Consideration to reject all bids received for contract FY04-049 for providing automotive batteries for the City's fleet and authorize that the existing battery contract be extended for a period of sixty days. The Fleet Maintenance Division will modify the bid document to include changes to the minimum cranking amps requirements, place of manufacture origin, and an option for a three year full replacement program. The changes are being recommended to allow for more competition and to allow for potential savings to the City. The bid specification document will be modified to include these requirements.
--------------------------	--

<b>INITIATED BY:</b> Larry Dovalina, City Manager	<b>STAFF SOURCE:</b> Roberto Murillo, Traffic Safety and Fleet Maintenance Department Director Francisco Meza, Purchasing Agent
---	--

**PREVIOUS COUNCIL ACTION:** None.

**BACKGROUND:** The City received five bids for the purchase of automotive batteries for the City's automotive fleet. The Fleet Maintenance Division will modify the bid document to include changes to the minimum cranking amps requirements, place of manufacture origin, and an option for a three year full replacement program. The changes are being recommended to allow for more competition and to allow for potential savings to the City.

Bid Summary	Total Bid			Total Bid
Option A – 1 year replacement			Option B – 1 ½ Year replacement	
Gonzalez Auto Parts	\$21,083.32		Gonzalez Auto Parts	\$20,692.12
O'Reilly Auto Parts	\$21,138.36		Rush Truck Center	\$25,288.82
Rush Truck Center	\$25,712.62		O'Reilly Auto Parts	\$26,138.46
Pep Boys - Incomplete bid	\$18,367.10		Laurel Battery	\$29,642.70
			Pep Boys – Incomplete bid.	\$11,666.48

**FINANCIAL IMPACT:** The purchase of these parts are budgeted in the Fleet Maintenance Division's line item for parts and batteries:  
Fleet Maintenance Division – Parts and Batteries  
Account Number: 593-2810-533-2071

<b>COMMITTEE RECOMMENDATION:</b>	<b>STAFF RECOMMENDATION:</b> It is recommended that all bids be rejected and new bids solicited.
----------------------------------	--

**BID TABULATION - AUTOMOTIVE BATTERIES - FY04-049**

OPTION-A- 1 YR. WARRANTY		O'REILLY AUTO		PEP BOYS		GONZALES AUTO		RUSH TRUCK CTR.		LAUREL BATTERY	
DESCRIPTION	QTY.	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL
1 BAT-78	50	38.39	1,919.50	NO BID	-	48.54	2,427.00	44.23	2,211.50	NO BID	-
2 BAT-58R	16	38.39	614.24	NO BID	-	36.72	587.52	48.51	776.16	NO BID	-
3 BAT-31P	24	54.50	1,308.00	NO BID	-	58.15	1,395.60	64.22	1,541.28	NO BID	-
4 BAT-31S	120	54.50	6,540.00	71.96	8,635.20	56.53	6,783.60	64.22	7,706.40	NO BID	-
5 BAT-24F	14	30.71	429.94	31.95	447.30	26.95	377.30	39.71	555.94	NO BID	-
6 BAT-24	18	30.71	552.78	31.95	575.10	26.95	485.10	38.53	693.54	NO BID	-
7 BAT-65	200	46.07	9,214.00	41.95	8,390.00	43.30	8,660.00	59.02	11,804.00	NO BID	-
8 BAT-58	10	55.99	559.90	31.95	319.50	36.72	367.20	42.38	423.80	NO BID	-
		TOTAL	21,138.36		18,367.10		21,083.32		25,712.62		
					INC.						

OPTION-B- 18 MTH. WARRANTY		O'REILLY AUTO		PEP BOYS		GONZALES AUTO		RUSH TRUCK CTR.		LAUREL BATTERY	
DESCRIPTION	QTY.	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL	PRICE	TOTAL
1 BAT-78	50	38.39	1,919.50	46.04	2,302.00	48.54	2,427.00	44.23	2,211.50	63.95	3,197.50
2 BAT-58R	16	38.39	614.24	37.76	604.16	36.72	587.52	48.51	776.16	55.00	880.00
3 BAT-31P	24	54.50	1,308.00	NO BID	-	58.15	1,395.60	64.22	1,541.28	69.95	1,678.80
4 BAT-31S	120	54.50	6,540.00	NO BID	-	56.33	6,759.60	64.22	7,706.40	69.95	8,394.00
5 BAT-24F	14	30.71	429.94	37.76	528.64	26.95	377.30	39.71	555.94	46.95	657.30
6 BAT-24	18	30.71	552.78	37.76	679.68	26.95	485.10	38.53	693.54	46.95	845.10
7 BAT-65	200	73.87	14,774.00	37.76	7,552.00	43.30	8,660.00	59.02	11,804.00	69.95	13,990.00
		TOTAL	26,138.46	TOTAL	11,666.48	TOTAL	20,692.12	TOTAL	25,288.82	TOTAL	29,642.70
					INC.						





# COUNCIL COMMUNICATION

**DATE:**  
04/05/04

**SUBJECT: MOTIONS**

Consideration to award contract FY04-061 to Holt Co. of Texas, Laredo, Texas in the total amount of \$230,150.00, for the purchase of one street paving machine. There is a lower bid for the same type of machine from a dealer from San Antonio, Texas, however staff is recommending Holt Co. of Texas because this bidder provides the best value to the City based on the equipment proposed, and the availability of local service. Funds are available from 2003 Contractual Obligation PPFCO bond proceeds.

**INITIATED BY:**

Larry Dovalina  
City Manager

**STAFF SOURCE:**

Rogelio Rivera, P.E., Engineering/Public Works Dept. Director  
Francisco Meza, Purchasing Agent

**PREVIOUS COUNCIL ACTION:** None

**BACKGROUND:** Staff is requesting authorization to purchase a heavy duty street paving machine for use in street paving and street repair projects. This equipment will be assigned to the Engineering Department – Public Works Division. The City received six bids with some of the equipment proposed not meeting the City's minimum requirements. There is a lower bid for the same machine from a dealer from San Antonio, Texas, however staff is recommending Holt Co. of Texas because this bidder provides the best value to the City based on the equipment proposed, and the availability of local service.

**Contract Pricing:**

Vendor	Base Price	Ext. Warranty	Total	
Closner Equipment Co.	\$206,350.00	\$ 6,450.00	\$212,800.00	Ext warranty power train and /hydraulic system only
Closner Equipment Co.	\$206,350.00	\$11,950.00	\$228,850.00	Meets specifications.
Holt Co. of Texas	\$224,796.00	\$ 5,354.00	\$230,150.00	Meets specifications
Nueces Power Equip.	\$242,710.00	\$ 6,945.00	\$249,655.00	High bid.
Vogel America	\$185,915.00	No bid.	\$185,915.00	Did not meet specifications.
Vogel America	\$214,833.00	\$ 7,000.00	\$221,833.00	Did not meet specifications.
Dynapac Corp.	\$206,350.00	14,385.00	\$220,735.00	Did not meet specifications.

**FINANCIAL:** Funds are available from 2003 Contractual Obligation PPFCO bond proceeds.

2003 PPFCO Contractual Obligation Bond – Automotive Equipment

Account Number: 401-9860-515-9004

**RECOMMENDATION:**

**STAFF:** Staff recommends approval of this motion.

)

)

)

<b>DATE:</b> 01/12/04	<b>SUBJECT: MOTIONS</b> Consideration to rescind contract number FY03-093 awarded to Staff Force on 7/07/03 for providing contract laborers for the Solid Waste Department and award a new service contract (FY04-032) to RM Personnel, Inc., Laredo, Texas for the same services. RM Personnel provided the best value for the City. BPR Personnel submitted a bid with a lower rate but their contract document included provisions for additional costs such as deductibles for insurance coverage's and placement fees. The department requires temporary contract employees for office and liter abatement/refuse collectors. These contract employees are used to fill in for full time employees that are sick, on injury leave, and for vacant positions that will no longer be filled due to automation.  Staff Force submitted a letter to the City of Laredo stating that they could no longer provide these employees because they could not provide Worker Compensation insurance coverage. Funding is available in the Solid Waste budget.																		
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Oscar J. Medina, Solid Waste Dept. Director Francisco Meza, Purchasing Agent																	
<b>PREVIOUS COUNCIL ACTION:</b> Awarded a contract to Staff Force, Laredo, Texas on July 7, 2003 for providing contract laborers for the Solid Waste Department.																			
<b>BACKGROUND:</b> New bids were solicited for providing temporary contract laborers for the Solid Waste Department. Temporary laborers are needed to fill for full time employees that are sick or on injury leave for liter abatement, tire shredding, garbage collection and scale house operations. The contract vendor will be responsible for providing the liability and worker compensation insurance. The term of this contract is for a one year period.																			
<table border="1"> <thead> <tr> <th>Vendor</th> <th>Position</th> <th>Employee Hourly Wage</th> <th>Contractor Cost</th> <th>Total Cost per Hour/ Paid to Contractor</th> </tr> </thead> <tbody> <tr> <td>RM Personnel Inc.</td> <td>Sanitation Worker</td> <td>\$6.50</td> <td>\$2.60</td> <td>\$9.10</td> </tr> <tr> <td>BPR Personnel</td> <td>Sanitation Worker</td> <td>\$6.50</td> <td>\$2.27</td> <td>\$8.77</td> </tr> </tbody> </table>	Vendor	Position	Employee Hourly Wage	Contractor Cost	Total Cost per Hour/ Paid to Contractor	RM Personnel Inc.	Sanitation Worker	\$6.50	\$2.60	\$9.10	BPR Personnel	Sanitation Worker	\$6.50	\$2.27	\$8.77				
Vendor	Position	Employee Hourly Wage	Contractor Cost	Total Cost per Hour/ Paid to Contractor															
RM Personnel Inc.	Sanitation Worker	\$6.50	\$2.60	\$9.10															
BPR Personnel	Sanitation Worker	\$6.50	\$2.27	\$8.77															
<b>FINANCIAL IMPACT:</b> Funding is available in the following line item budget: Solid Waste Fund – Contractual Services Account Number: 556-2560-533-5500																			
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that this action be approved.																	



# COUNCIL COMMUNICATION

<b>DATE:</b> 04/05/04	<b>SUBJECT: MOTIONS</b> Consideration to award contract number FY03-068, to the LOW BIDDER, Holt Co. of Texas, Laredo, Texas, in the amount of \$241,751.00 for the purchase of one, replacement five wheel loader for the landfill operation. This equipment will be purchased using a total cost bid evaluation process. The bid pricing includes provisions for a five-year maintenance contract and a guaranteed re-purchase price after a five year period. Delivery of this equipment is expected within sixty days. Funding is available in the Solid Waste Fund.																																	
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Oscar J. Medina, Solid Waste Services Director Francisco Meza, Purchasing Agent																																
<b>PREVIOUS COUNCIL ACTION:</b> Ordinance 2004-0-075 authorized the appropriation of funds for the purchase of this equipment.																																		
<b>BACKGROUND:</b> The City received four bids for the purchase of one five wheel loader for the landfill operation. This equipment will be purchased using a total cost bid evaluation process. The bid pricing includes provisions for a five-year maintenance contract and a guaranteed re-purchase price. Delivery of this equipment is expected within sixty days.  The bid specifications were prepared using a total cost analysis to determine the low bid meeting the technical and evaluation criteria. Included in the evaluation is the purchase price, a guaranteed maintenance cost for a five year period, and a guaranteed repurchase price at the end of the five year period. The City has the option to sell the equipment back to the Holt Company, at the end of a five-year period. The five-year guaranteed maintenance provision states that the City will not spend more than the agreed total in repair costs during a five-year period.																																		
<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 25%;"></th> <th style="width: 20%;">Holt Co. of Texas</th> <th style="width: 20%;">RD Equipment</th> <th style="width: 20%;">Nueces Power</th> <th style="width: 20%;">Nueces Power</th> </tr> </thead> <tbody> <tr> <td>Purchase Price</td> <td>\$241,751.00</td> <td>\$278,500.00</td> <td>\$226,719.00</td> <td>\$205,021.00</td> </tr> <tr> <td>Maintenance Cost</td> <td>\$ 0.00</td> <td>\$ 0.00</td> <td>\$ 2,000.00</td> <td>\$ 2,000.00</td> </tr> <tr> <td></td> <td>\$241,751.00</td> <td>\$278,500.00</td> <td>\$228,719.00</td> <td>\$207,021.00</td> </tr> <tr> <td>Repurchase Price after five years</td> <td>(\$105,000.00)</td> <td>(\$ 65,000.00)</td> <td>(\$ 0.00)</td> <td>(\$ 0.00)</td> </tr> <tr> <td>Total Cost Bid</td> <td>\$136,751.00</td> <td>\$213,500.00</td> <td>\$228,719.00</td> <td>\$207,021.00</td> </tr> </tbody> </table>						Holt Co. of Texas	RD Equipment	Nueces Power	Nueces Power	Purchase Price	\$241,751.00	\$278,500.00	\$226,719.00	\$205,021.00	Maintenance Cost	\$ 0.00	\$ 0.00	\$ 2,000.00	\$ 2,000.00		\$241,751.00	\$278,500.00	\$228,719.00	\$207,021.00	Repurchase Price after five years	(\$105,000.00)	(\$ 65,000.00)	(\$ 0.00)	(\$ 0.00)	Total Cost Bid	\$136,751.00	\$213,500.00	\$228,719.00	\$207,021.00
	Holt Co. of Texas	RD Equipment	Nueces Power	Nueces Power																														
Purchase Price	\$241,751.00	\$278,500.00	\$226,719.00	\$205,021.00																														
Maintenance Cost	\$ 0.00	\$ 0.00	\$ 2,000.00	\$ 2,000.00																														
	\$241,751.00	\$278,500.00	\$228,719.00	\$207,021.00																														
Repurchase Price after five years	(\$105,000.00)	(\$ 65,000.00)	(\$ 0.00)	(\$ 0.00)																														
Total Cost Bid	\$136,751.00	\$213,500.00	\$228,719.00	\$207,021.00																														
<b>FINANCIAL IMPACT:</b> Funds for the purchase of this equipment has been budgeted in the following line item budget: Solid Waste Fund – Landfill, Capital Outlay, Automotive Equipment Account Number: 556-2560-535-9004																																		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that this contract be awarded.																																



# COUNCIL COMMUNICATION

<b>DATE:</b> 04/05/04	<b>SUBJECT: MOTIONS</b> Consideration to award annual contracts (FY04-056), to the LOW BIDDERS: Vehicle Maintenance Program, Inc., Boca Raton, Florida in the base amount of \$34,910.62; Fleetpride, Laredo, Texas, in the base amount of \$22,790.70, Laredo, Texas; Laredo Wholesale, Laredo, Texas, in the base amount of \$21,071.00; O'Reilly Auto Parts, Springfield, MI., in the base amount of \$9,525.20.; and A & A Automotive Supplies, San Antonio, Texas, in the base amount of \$5,735.20; for the purchase of general repair parts. These replacement parts will be purchased on an as need basis for all City fleet vehicles. The contract items include: oil/fuel filters, front end parts, hoses, clamps, belts, lamps/bulbs, service lubricants, and brakes. Funding is available in the Fleet Maintenance budget.	
<b>INITIATED BY:</b> Larry Dovalina, City Manager		<b>STAFF SOURCE:</b> Roberto Murillo, Traffic Director Francisco Meza, Purchasing Agent
<b>PREVIOUS COUNCIL ACTION:</b> None.		
<b>BACKGROUND:</b> The City received seven bids for awarding annual supply contracts for furnishing replacement automotive parts most commonly used in repairing the City's general vehicle fleet. The successful bidders will be required to maintain a parts inventory, and will provide delivery service. As with all supply contracts, these items will be purchased on an as need basis. Staff has reviewed the bids submitted and is recommending that contracts be awarded to the low bidders meeting all the City's requirements.		
<b>Vehicle Maintenance Program Inc., Florida</b> Section I – Oil and Fuel Filters    \$29,941.82 Section II-Bulbs Lamps,Fuses       \$ 3,644.40 Section VI-Wiper Blades <u>\$ 1,324.40</u> \$34,910.62		<b>Fleetpride, Laredo</b> Section VII-Drums & Rotors <u>\$ 22,790.70</u>  <b>O'Reilly Auto Parts, MI.</b> Section V – Hoses,Clamps <u>\$ 9,525.20</u>
<b>Laredo Wholesale, Laredo</b> Section VIII –Disc Pads P.D.    \$15,236.00 Section IX-Disc Pads -Trucks <u>\$ 5,835.00</u> \$21,071.00		<b>A &amp; A Automotive, San Antonio</b> Section III – Wheel Bearing     \$2,738.60 Section IV –Service Lubricants <u>\$2,996.20</u> \$5,735.20
<b>FINANCIAL IMPACT:</b> Funds for the purchase of these parts and service are available in the Fleet Maintenance budget. Account Number: 593-2810-533-2078 - Heavy Equipment Parts/Service		
<b>COMMITTEE RECOMMENDATION:</b>		<b>STAFF RECOMMENDATION:</b> It is recommended that these contracts be approved.

## **Bid Summary**

### **Section I – Oil and Fuel Filters**

<b>Vehicle Maintenance Program, Inc.</b>	<b>\$29,941.82</b>
Rush Truck Center	\$34,726.92
Fleetpride	\$36,418.46
O'Reilley Auto Parts	\$39,987.88
WTS Industrial Solutions Inc.	\$63,427.40

### **Section II – Bulbs and Lamps, Fuses**

<b>Vehicle Maintenance Program, Inc.</b>	<b>\$ 3,644.40</b>
A & A Automotive	\$ 4,119.90
Fleetpride	\$ 4,613.90
Texas Fleet Supply	\$ 4,959.00
O'Reilley Auto Parts	\$ 5,135.90
Rush Truck Center	\$ 6,654.20

### **Section III – Wheel Bearings, Lamps, Fuses**

<b>A &amp; A Automotive</b>	<b>\$ 2,738.60</b>
O' Reilly Auto Parts	\$ 3,857.70
Fleetpride	\$ 4,331.30
Texas Fleet Supply	\$ 5,124.80

### **Section IV – Service Lubricants**

<b>A &amp; A Automotive</b>	<b>\$ 2,996.60</b>
O'Reilley Auto Parts	\$ 3,676.10
Rush Truck Center	\$ 4,367.10

### **Section V – Hoses, Clamps, Belts**

<b>O'Reilley Auto Parts</b>	<b>\$ 9,525.20</b>
Rush Truck Center	\$ 9,855.10

### **Section VI – Wiper Blades**

<b>Vehicle Maintenance Program, Inc.</b>	<b>\$ 1,324.40</b>
A & A Automotive	\$ 1,665.00
O'Reilly Auto Parts	\$ 2,848.20
Rush Truck Center	\$ 4,524.80

### **Section VII – Drums & Rotors**

Fleetpride	\$22,790.70
Laredo Wholesale	\$26,960.00

### **Section VIII – Disc Pads – Police Vehicles**

<b>Laredo Wholesale</b>	<b>\$15,236.00</b>
Fleetpride	\$15,806.08
Texas Fleet Supply	\$17,933.86

### **Section IX – Disc Pads – Trucks**

<b>Laredo Wholesale</b>	<b>\$ 5,835.00</b>
O'Reilley Auto Parts	\$ 6,093.70
Texas Fleet Supply	\$ 7,256.00



)

)

)

## COUNCIL COMMUNICATION

<b>DATE:</b> 04/05/04	<b>SUBJECT: MOTIONS</b> Consideration to authorize the purchase and installation of a Little League Baseball Sports Lighting System from Musco Lighting System through the Texas Local Government Purchasing Cooperative (Buy Board) contract pricing in the total amount of \$31,550.00. Utilizing the Buy Board contract pricing, this sports lighting system will be installed at the Garcia/Vela Little League Field (200 Arkansas). Funding is available in the 29 <sup>th</sup> Action Year – 2003 Community Development Block Grant (CDBG).
<b>INITIATED BY:</b> Cynthia Collazo Assistant City Manager	<b>STAFF SOURCE:</b> Erasmus A. Villarreal C.D. Director
<b>PREVIOUS COUNCIL ACTION:</b> Approved by the City of Laredo's participation in the Texas Local Government Purchasing Cooperative (Buy Board) at the City Council meeting of May 7, 2001.	
<b>BACKGROUND:</b> Staff is requesting authorization to purchase a Sports lighting system for the Garcia/Vela Little League Baseball Field. This is a complete system designed and manufactured from the foundation to pole top. The system includes delivery and installation of a 6 factory-wired top pole Luminaire assemblies, factory wired remote electrical component enclosures, mounting hardware for the top pole units, 24 factory-aimed 1500 watt metal halide luminaries, 6 Disconnects, 6 pole length wire harnesses, with a 10 year warranty with 1 re-lamp @ 3000 hours. Scope of work will also include the removing of old cross arm assemblies. Manufacturer will provide 5% extra lamps, 5 extra fuses, and delivery to the job site (200 Arkansas), which is included in price quote. This Sports Lighting system will illuminate the entire Little League baseball field. Completion of this sports lighting project is expected by mid May 2004.	
<b>FINANCIAL:</b> Funding is available for the Garcia/Vela Lighting Project – 29 <sup>th</sup> Action Year/2003 Community Development Block Grant (CDBG) funds. Account Number: 211-8680-555-13-73	
<b>RECOMMENDATION:</b>	<b>STAFF:</b> Staff recommends approval of this motion.



## COUNCIL COMMUNICATION

<b>DATE:</b>  4/5/04	<b>SUBJECT: MOTION</b> Consideration for approval of change order #1 to Peltier Brothers Construction, Ltd., Houston, Texas in the amount of \$104,000.00 for the Lyon Street 6 MG Ground Storage Tank Repairs. This change order consists of additional interior lining with elastomeric poly-urethane coating, additional compensation for rainy days and the addition of a logo to the exterior of the two tanks. The construction contract time is extended for an additional 106 calendar days. The revised contract amount is \$ 685,136.51. Funding is available in the Lyon Tank Improvements (Acc# 557-4198-538-57-03).																											
<b>INITIATED BY:</b> Larry Dovalina, City Manager	<b>STAFF SOURCE:</b> Heberto Ramirez, Utilities Director																											
<b>PREVIOUS COUNCIL ACTION:</b> Contract awarded on 8/4/03 and status report on 3/29/04																												
<b>BACKGROUND SUBJECT: MOTION</b> <p>This project consists of stabilization of ring foundation and floor of tank by polymeric compaction grouting, repair of floor-foundation and wall foundation joints to prevent leaking, and interior lining with rubber polymer membrane and elastomeric poly-urethane coatings. This change order consists of additional interior lining with elastomeric poly-urethane coating, additional compensation for rainy days and the addition of a logo to the exterior of the two tanks. The construction contract time is extended for an additional 106 calendar days.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="3"><b>Change Order #1</b></td> </tr> <tr> <td style="width: 40%;">- Painting New Logos</td><td style="width: 20%; text-align: right;">\$10,680.59</td><td style="width: 40%; text-align: right;">20 days</td> </tr> <tr> <td>- Elastomeric Polyurethane Coating</td><td style="text-align: right;">\$84,136.51</td><td style="text-align: right;">51 days</td> </tr> <tr> <td>- Delays Due to Roof Leaks</td><td style="text-align: right;">\$10,000.00</td><td style="text-align: right;">35 days</td> </tr> <tr> <td style="text-align: right;">Sub- Total</td><td style="text-align: right;">\$104,136.51</td><td style="text-align: right;">106 days</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td>- Original Contract</td><td style="text-align: right;">\$581,000.00</td><td style="text-align: right;">180 days</td> </tr> <tr> <td>- Change Order #1</td><td style="text-align: right;">\$104,136.51</td><td style="text-align: right;">286 days</td> </tr> <tr> <td style="text-align: right;">Total</td><td style="text-align: right;">\$685,136.51</td><td style="text-align: right;">466 days</td> </tr> </table> <p>The expected completion of this project with approved change order is May 31, 2004. Staff recommends approval of change order #1 in the amount of \$ 104,136.51 to Peltier Brothers Construction, Inc.</p>		<b>Change Order #1</b>			- Painting New Logos	\$10,680.59	20 days	- Elastomeric Polyurethane Coating	\$84,136.51	51 days	- Delays Due to Roof Leaks	\$10,000.00	35 days	Sub- Total	\$104,136.51	106 days				- Original Contract	\$581,000.00	180 days	- Change Order #1	\$104,136.51	286 days	Total	\$685,136.51	466 days
<b>Change Order #1</b>																												
- Painting New Logos	\$10,680.59	20 days																										
- Elastomeric Polyurethane Coating	\$84,136.51	51 days																										
- Delays Due to Roof Leaks	\$10,000.00	35 days																										
Sub- Total	\$104,136.51	106 days																										
- Original Contract	\$581,000.00	180 days																										
- Change Order #1	\$104,136.51	286 days																										
Total	\$685,136.51	466 days																										
<b>FINANCIAL IMPACT:</b> Funding is available in the Lyon Tank Improvements (Acc# 557-4198-538-57-03). Transfer will be initiated from the reserve appropriation.																												
<b>COMMITTEE RECOMMENDATION:</b> No action from Committee was necessary, therefore staff recommends to award.	<b>STAFF RECOMMENDATION:</b> To award the contract.																											

)

)

)

## **GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

- A. **Request by Council Member Hector J. Garcia**
  - 1. Status report on Clark Boulevard creek drainage improvements.
  - 2. Status report on lighting on Clark Boulevard.
  
- B. **Request by Council Member Gene Belmares**
  - 1. Discussion with possible action regarding Public Works projects in District VI.
  - 2. Discussion with possible action regarding installing a collapsible railing on Springfield Avenue by JSJ Estates.
  - 3. Discussion with possible action on assisting the Laredo Heat on securing Veteran's Field for the 2004 soccer season.
  
- C. **Request by Council Member Jose A. Valdez, Jr.**
  - 1. Discussion with possible action regarding implementation of a plan to repave or reconstruct streets in older industrial park areas.
  
- D. **Request by Council Member Juan Ramirez**
  - 1. Discussion with possible action regarding installing street lights on San Ignacio from Sanchez to Burnside.
  - 2. Discussion with possible action to improve lighting around the Civic Center using District VIII Discretionary Funds.
  - 3. Discussion with possible action on constructing sidewalks on the West side of the 500 block of Main Street using District VIII Discretionary Funds.
  - 4. Discussion with possible action on water park